

REGULAR SESSION
(August 14, 2018)

Tuesday

2:00 PM

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

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

ACKNOWLEDGEMENT OF COLORS ~

- *By Dedicated Retired Veterans of Wyoming County*

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

Robin Kruppa

Mrs. Robin (Mitchell) Kruppa graduated from York Central School in 1987 and attended college at SUNY Alfred State. She worked in her field of study as a chemist at Sabin Metal Corporation in Scottsville, NY for a couple of years before deciding to join the United States Army. Mrs. Kruppa reasons were many, but among them were her respect for others that served before her and her desire to make some changes in her life that would include both travel and commitment.

Mrs. Kruppa's basic training started in 1994 at Fort Jackson, South Carolina and advanced individual training was completed at Fort Lee Virginia. Fort Jackson was created in 1917 as Camp Jackson as the U.S. entered World War I. In 1922, after the end of the Great War, Camp Jackson was shut down but was reactivated in 1940 as Fort Jackson for World War II. Expanding the fort became one of the largest construction projects ever undertaken in the Southeast.

Mrs. Kruppa married David Kruppa, a local man from Batavia, in December 1994 while on leave. She was stationed at Fort Campbell, Kentucky as a Supply Specialist in Attack Unit Headquarters, 2nd of 101st Airborne Division (Air Assault).

Mrs. Kruppa was honorably discharged in 1996 and remained in Clarksville, Tennessee until traveling back to this area in the year 2000. For her valor and courageous service to her country, Mrs. Kruppa was awarded the:

- Army Service Ribbon
- Marksman Badge M-16 Rifle
- National Defense Service Medal
- Army Good Conduct Medal

Mrs. Kruppa has spent most of her time raising four children whose current ages are 26, 20, 16 and 14. She was also busy teaching Sunday school and volunteering in Boy Scouts of America as Den Leader, Cub Master, Committee Chairman, Treasurer and Unit Commissioner. She has been a member of the American Legion since 1996 and has volunteered her time to the American Legion at the county level as Wyoming County Adjutant for six years. Mrs. Kruppa has also been the 8th District Wyoming County Chairman for Women Veterans and Rehabilitation and is a member of the American Legion Auxiliary.

Mrs. Kruppa has enjoyed working for the Perry Vets Club as their bookkeeper over the past year and is honored to be currently working with veterans as the Assistant Director for Wyoming County Veterans Services.

The pledge was said by all.

Chairman Berwanger requested Supervisor Ryan, T/Warsaw to join him in the presentation of the customary certificate of appreciation to Mrs. Kruppa and an opportunity to address the Board. At which time, Mrs. Kruppa thanked the board and said what a wonderful opportunity it is to be here today and how proud she is that our country provides us the privilege to meet like this for any reason and is very happy to be here today.

Chairman Berwanger congratulated Mrs. Kuppa on her new position with Wyoming County Veterans Services.

Chairman Berwanger then invited Supervisor Kehl, T/Attica to the microphone to present a certificate of appreciation the newly crowned 2018 Fair Queen, Carleigh Minor, who is from the Town of Gainesville.

Supervisor Kehl invited Ms. Minor to join him at the microphone. After reading the certificate, he presented it to Ms. Minor and provided her an opportunity to address the Board.

Ms. Minor said that she attends Letchworth Central School and was sponsored by American Rod Technology. This year, as Fair Queen, she intends on helping out her community as much as possible and hopes everyone enjoys the rest of the week at the Fair.

#1

**RESOLUTION NO. 18-316
(August 14, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

WYOMING COUNTY FAIR WEEK PROCLAIMED

WHEREAS, The Wyoming County Fair will be held from August 11th through August 18th, 2018 in the Town of Pike, Wyoming County, New York; and

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

WHEREAS, The Fair's 2018 theme celebrates *“Wyoming County Fair - A Family Tradition for 175 Years”*; and

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby proclaims the week of August 11th through August 18th in the year 2018 as:

“WYOMING COUNTY FAIR WEEK”

and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors does hereby applaud the untiring efforts of the Wyoming County Fair Association and congratulates the Fair on its 175th anniversary.

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

Chairman Berwanger then asked Wyoming County Fair General Superintendent Michael Roche to join Supervisor Kehl at the microphone for the reading of the Proclamation.

After reading the Proclamation, Supervisor Kehl presented the Proclamation to Supt. Roche who thanked the Board for their continued support and reminded all of the parade later in the evening.

Next, Chairman Berwanger requested that 4-H Youth Development Community Educator, Holly Harwood, join him at the microphone for a Chairman's Proclamation declaring 4-H Meat Animal Auction Day in Wyoming County in celebration of its 50th annual auction.

After reading the Proclamation, Ms. Harwood was provided an opportunity to address the board.

Ms. Harwood stated that the program is only successful because of the volunteers, the youth involved in the program and the people who participate as buyers. Several of the participants in the meat auction were present and recognized by Ms. Harwood. She also suggested that everyone take an opportunity to look at the booths around the meat cooler that highlight the last 50 years, and reminded all, if they are in the market for some top quality meat, to come to the auction tomorrow night, August 15th.

Chairman Berwanger then introduced the elected officials of Wyoming County...

- County Sheriff, Greg Rudolph
- District Attorney, Donald O'Geen
- County Treasurer, Cheryl Mayer from the Town of Pike
- County Clerk, Rhonda Pierce from the Town of Wethersfield
- Retired Wyoming County Judge and Deputy County Attorney, Mark Dadd

INTRODUCTION OF GUESTS ~

- *New York State Senator ~ Patrick Gallivan*
- *New York State Assemblyman ~ David DiPietro*

Chairman Berwanger introduced both Senator Gallivan and Assemblyman DiPietro.

PRESENTATIONS ~

New York State Senator Patrick Gallivan

VETERAN – Distinguished Service

- ***Army Air Corps Veteran Lt. Kenneth Weber***
 - Completion of 90 missions escorting B-17s and B-24s during World War II
 - Accompanied by Veterans Services Director Harvey and Supervisor Leuer, T/Middlebury

LAW ENFORCEMENT – Combating DWI

- ***Deputy Aaron Chase***
 - 4-years of Service
 - Drug Recognition Expert
 - 69 DWI Arrests
 - Accompanied by Wyoming County Sheriff Rudolph and Undersheriff Linder
- ***Sergeant Colin Reagan***
 - 12-years of Service
 - Drug Recognition Expert
 - 369 DWI Arrests
 - Accompanied by Wyoming County Sheriff Rudolph and Undersheriff Linder

VOLUNTEER FIREFIGHTERS – Acts of Heroism

- ***Perry Fire Department***
 - Saving the life of a young woman from a multiple unit structure fire, who was unconscious from smoke inhalation and suffered severe burns on her lower extremities.
 - Accompanied by Fire Chief Laraby, Fire and Emergency Management Director Santoro and County Fire Coordinator Streicher
- ***Bennington Volunteer Fire Company***
 - Saving the life of a three-year-old shot in the chest by providing exemplary medical

care.

- Accompanied by Fire Chief Brandon, Fire and Emergency Management Director Santoro and County Fire Coordinator Streicher

YOUTH – Overcoming Adversity

- **Sam Cusmano**
 - Two-time Genesee Region League All-Star baseball pitcher finishing the past season 7-3 on the hill, three shutouts, an ERA of 3.06 and struck out 63 batters in 53 innings earning the Attica Blue Devils Genesee Region Division One Title even though diagnosed with Combined Hamartoma of the Retina and Retinal Pigment Epithelium (RPE), which limits his peripheral vision.
 - Accompanied by his parents and Supervisor Kehl, T/Attica

New York State Assemblyman David DiPietro

ARC 2018 – Community Partner Award

- **Karen Almeter**
 - For giving various opportunities to many individuals with disabilities as the Food Service Manager at Letchworth Central School

A round of applause recognized all of these recipients...

Chairman Berwanger then asked Senator Gallivan to come forward to accept a Certificate of Appreciation from the Wyoming County Board of Supervisors in recognition of and appreciation for his continuous support in the New York State 59th Senate District and for securing in excess of \$24.7 million dollars for various needs and projects throughout Wyoming County.

Senator Gallivan expressed his appreciation.

CORRESPONDENCE ~

- *None*

#2

**RESOLUTION NO. 18-317
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2018 ACCOUNTS

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

Emergency Services			
From: 01.37.3645.4.41410I Software Purchase	\$8,999.10		
To: 01.37.3645.2.20201I Computer Equipment		\$8,999.10	
Reason: For equipment asset purchase from Linstar paid by FY2017 SHSP Grant.			

Emergency Services Total			\$8,999.10
Carried: XXX	Ayes: 1599	Noes:	Absent: Abstain:

#3

**RESOLUTION NO. 18-318
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2018 ACCOUNTS

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

Treasurer			
To: 01.51.9780.7.70002 VOIP 14-384 BAN Interest	\$260.00		
01.51.9781.7.70001 E911 16-300 BAN interest	1,400.00		
<i>w/any funds available</i>		\$1,660.00	
Reason: BAN interest budgeted at estimate of current rates. Rates realized higher when BAN actually renewed.			
To: 06.57.6290.4.42449 TANF 93.558	\$83,810.00		
w/06.12.6290.479005 Federal TANF allocation		\$83,810.00	
Reason: Summer Youth Allocation letter not received until May 2018.			
Treasurer Total			\$85,470.00
Historian			
To: 01.46.7510.4.41010 Office Supplies	\$348.50		
w/01.09.7510.2705 Gifts & Donations		\$348.50	
Reason: To purchase steel shelving.			
Historian Total			\$348.50
Office for the Aging			
To: 01.44.6772.4.42465 Aging Mastery	\$8,000.00		
w/01.03.6772.1972 OFA		\$8,000.00	
Reason: For anticipated expenses for Aging Mastery Program Grant.			
Office for the Aging Total			\$8,000.00
Social Services			
To: 01.39.6010.2.20001 Furniture	\$1,579.00		
01.39.6010.2.20401 Misc. Equip	10,541.00		
01.39.6010.4.41111 Computers & Technology	400.00		
w/01.11.6010.3610 State Aid DSS Admin		\$6,260.00	
01.12.6010.4611 Federal Aid Food Stamp Program		6,260.00	
Reason: To cover the cost of two (2) Kodak Duplex Scanners (\$1,690); one (1) Micro Fiche Reader/Printer (\$5,700); one (1) Kodak Color Scanner (\$3,151); one (1) File Cabinet; one (1) Fiche Cabinet (\$1,579); and one (1) I-Pad with SNAP Bonus Award. 50% Fed/50% State \$400.			
Social Services Total			\$12,520.00
Family Planning			
To: 01.38.4010.4.42440 Child Safety Seat	\$125.00		
w/01.09.4010.2705 Gifts & Donations		\$125.00	
Reason: Appropriate unanticipated donation in the HD from Arcade businesses to be used for advertising expense for September 29 th Child Safety Seat event in Arcade.			

Family Planning Total			\$125.00
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Water Resource Agency			
To: 01.48.8310.4.42435 Other Grants w/01.11.8310.3089 Other State Aid Reason: For the State Septic System Replacement Program award to be used for approved septic system replacement grant recipients.	\$75,000.00	\$75,000.00	
Water Resource Agency Total			\$75,000.00
District Attorney			
To: 01.32.1165.4.40301 Prof Svc Contract w/ <i>any funds available</i> Reason: For expert witness fees for the Joseph Mlyniec case.	\$10,000.00	\$10,000.00	
District Attorney Total			\$10,000.00
Buildings & Grounds (CIP)			
To: 12.61.1620.2.21018 Public Defender CIP w/12.11.1620.3025 State Aid Revenue Reason: To appropriate NYS Indigent Defense Funding (from Hurrell-Harring Settlement case) for the expansion of the Public Defender Building to accommodate additional staff as required by the agreement.	\$100,000.00	\$100,000.00	
Buildings & Grounds (CIP) Total			\$100,000.00
Buildings & Grounds (Co. Bldgs.)			
To: 01.34.1620.4.40802 Contract Bldg. Exp. w/01.08.1620.2680 Insurance Recovery Reason: For repairs to the box gutters on wash bay building damaged in accident that took place in secured lot at the Public Safety Facility.	\$1,250.00	\$1,250.00	
Buildings & Grounds (Co. Bldgs.) Total			\$1,250.00

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

Mr. Granger T/Castile, Chairman of the Audit Committee, presented bills totaling **\$3,990,706.11** for the month of **July 2018**.

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

Local Law
#4

RESOLUTION NO. 18-319
(August 14, 2018)

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

SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. D YEAR 2018

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 14th day of August, 2018, a proposed local law entitled, "Local Law Introductory No. D, Year 2018, **"A LOCAL LAW TO CONTINUE TO IMPOSE**

A COUNTY RECORDING TAX ON OBLIGATIONS SECURED BY A MORTGAGE ON REAL PROPERTY”; and

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

BE IT RESOLVED, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the **11th day of September, 2018 at 2:30 PM in the Supervisors’ Chambers, 2nd Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.**

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

INTRODUCTORY LOCAL LAW NO. D - YEAR 2018

A Local Law to Continue to Impose a County Mortgage Recording Tax on Obligations Secured by a Mortgage on Real Property and to Repeal Local Law Number 8 of 2008

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

STATUTORY AUTHORITY. New York State Tax Law, Section 253-n.

BE IT ENACTED, By this Board of Supervisors of the County of Wyoming, State of New York as follows:

SECTION 1. This local law hereby repeals local law number 8 of 2008, which imposed a county recording tax on obligations secured by a mortgage on real property situated in Wyoming County. The repeal of Local Law 8 of 2008 is not retroactive. The purpose of the repeal is to make clear that this 2018 local law supersedes the repealed law and that there is non-interrupted and continuing imposition of the mortgage tax.

SECTION 2. IMPOSITION OF TAXES

For the period commencing December 01, 2018 through November 30, 2021, there is hereby imposed in Wyoming County a tax of twenty five cents (\$0.25) for each one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within such county and recorded on or after the date upon which such tax takes effect and a tax of twenty five cents (\$0.25) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00). County of Wyoming,

SECTION 3. APPLICABILITY

The taxes imposed under the authority of this local law shall be administered and collected in the same manner as the taxes imposed under subdivision one of Section 253 and paragraph (b) of subdivision one of Section 255 of the Tax Law. Except as otherwise provided in this local

law, all the provisions of Article 11 of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivisions shall apply to the taxes imposed under the authority of this local law with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in this local law, except to the extent that any provision is either inconsistent with a provision of this local law or not relevant to the tax authorized by this local law. For purposes of this local law, any reference in this Article 11 of the Tax Law to the tax or taxes imposed by such article shall be deemed to refer to a tax imposed pursuant to this local law, and any reference to the phrase “within this state” shall be read as “within Wyoming County,” unless a different meaning is clearly required.

SECTION 4. REAL PROPERTY LOCATED IN MORE THAN ONE COUNTY

Where the real property covered by the mortgage subject to the tax imposed pursuant to the authority of this local law is situated in this state but within and without Wyoming County, the amount of such tax due and payable to such county shall be determined in the same manner prescribed in the first paragraph of Section 260 of the Tax Law, which concerns real property situated in two or more counties. Where such property is situated both within Wyoming County and without the state, the amount due and payable to Wyoming County shall be determined in the manner prescribed in the second paragraph of such Section 260 of the Tax Law, which concerns property situated within and without the state. Where real property is situated within and without Wyoming County, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

SECTION 5. ADDITIONAL TAXES

A tax imposed pursuant to the authority of this local law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

SECTION 6. DISPOSITION OF TAXES

Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all moneys paid to the recording officer of the County of Wyoming during each month upon account of the tax imposed pursuant to the authority of this local law, after deducting the necessary expenses of his or her office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this section or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such recording officer on or before the tenth day of each succeeding month to the Treasurer of Wyoming County and, after the deduction by such Treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law shall be deposited in the general fund of the County of Wyoming for expenditure on any county purpose.

Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this section of Section 260 of the Tax Law are first to be apportioned by the Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of said Commissioner of Taxation and Finance.

SECTION 7. EFFECTIVE DATE

This local law shall become effective December 01, 2018 through November 30, 2021.

DATED at Warsaw, New York

August 14, 2018 (Introduced)

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board of Supervisors

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #5 and #8. Hearing no objection resolution titles were read.

#5

**RESOLUTION NO. 18-320
(August 14, 2018)**

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

MEMBERS APPOINTED TO THE GLOW WORKFORCE DEVELOPMENT BOARD

BE IT RESOLVED, That the following members are hereby appointed to the *GLOW Workforce Development Board* for a two (2) year term; effective September 18, 2018 through September 17, 2020:

Public Sector

- *Marcell Taylor*, Regional Administrator ~ PathStone, Corporation, 140 North Main Street, Albion, NY 14411

Private Sector

- *Steve Hall*, Human Resource Manager ~ Morton Salt, Inc., 45 Ribaud Avenue, Silver Springs, NY 14550

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

#6

**RESOLUTION NO. 18-321
(August 14, 2018)**

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH INDEPENDENT LIVING OF THE GENESEE REGION 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 *Independent Living of the Genesee Region.*, 113 Main Street, Batavia, NY 14020 on behalf of the Office for the Aging. Said contract is for consumer directed in-home care services for the Alzheimer’s Disease Caregiver Support Initiative (ADCSI) grant in an amount not to exceed 2018-2020 budget; effective August 1, 2018 through December 31, 2020.

Contingent upon the availability of funds.

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

#7

**RESOLUTION NO. 18-322
(August 14, 2018)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO AWARD
BID AND SIGN A CONTRACT WITH TOSHIBA BUSINESS SOLUTIONS ON
BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the 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 award bid and sign a contract with *Toshiba Business Solutions*, 100 Colvin Woods Parkway, Tonawanda NY 14150 on behalf of the Department of Social Services. Said contract is for the leasing of five (5) 65 PPM black and white copiers and one (1) 45 PPM color copier in a total amount not to exceed thirty-seven thousand six hundred twelve dollars and twenty cents (\$37,612.20); effective upon signing and delivery through completion of five-year term.

Contingent upon the availability of funds.

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

#8

**RESOLUTION NO. 18-323
(August 14, 2018)**

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

CHILD SUPPORT AWARENESS MONTH PROCLAIMED

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

WHEREAS, The welfare of our children is the most important responsibility we have as parents and a child should be able to rely on parental support; and

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

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

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim August 2018 in the County of Wyoming as **CHILD SUPPORT AWARENESS MONTH**

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

Chairman Berwanger asked Supervisor Grant, T/Bennington to share the Child Support Awareness Month Proclamation.

Supervisor Grant asked Commissioner Barber, Director of Programs Judith Gardner and Child Support Unit Supervisor Joanne Schreiber to join her at the microphone for the reading of the Proclamation.

Director of Programs Gardner stated that there were over 2000 active child support cases in 2017 with \$4.9 million dollars distributed amongst these cases. The Support Collection Unit ranked in the top 10 in New York State in terms of performance and efficiency in serving its clients. Almost three million dollars has been collected thus far in 2018 and it is anticipated that this number will be more than five million dollars by the end of the year.

Commissioner Barber thanked Director of Programs Judith Gardner and Child Support Unit Supervisor Joanne Schreiber for the awesome job that they do!

Chairman Berwanger then called on Director of Planning and Development Daly to present a special proclamation to Senator Gallivan on behalf of the Board of Directors and members of the New York State Economic Development Council. Director Daly asked Judge Dadd to read the proclamation.

Senator Gallivan stated he is honored and grateful for the trust to serve as the voice of the people in Albany and hopes to keep doing just that!

Chairman Berwanger recognized the arrival of District Attorney Don O'Geen and Assistant County Attorney Jim Wujick to the meeting.

#9

RESOLUTION NO. 18-324
(August 14, 2018)

By Mr. Kehl, Chairman of the Agriculture Committee:

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

WHEREAS, The New York State Department of Agriculture and Markets provides state assistance payments to counties for the development of local Agricultural and Farmland Protection Plans in an effort to share the costs of locally-led agricultural and farmland protection activities; and

WHEREAS, Agricultural and Farmland Protection Plans should identify land or areas proposed to be protected and describe activities, programs and strategies intended to be used to promote continued agricultural use; and

WHEREAS, Counties are eligible for grants up to \$50,000.00 or 50% of the cost (whichever is less) for developing a County Agriculture and Farmland Protection Plan; and

WHEREAS, The County share of funding for the total plan cost must be provided in at least 10% cash and no more than 40% in-kind services; and

WHEREAS, Any County that has established an Agricultural and Farmland Protection Board and has not had an Agricultural and Farmland Protection Plan approved by the Commissioner in the last ten (10) years is eligible for funding; and

WHEREAS, The County has established an Agricultural and Farmland Protection Board and has not had an Agricultural and Farmland Protection Plan approved by the Commissioner in the last ten (10) years; now therefore

BE IT RESOLVED, That the Chairman of the Wyoming County Board of Supervisors is hereby authorized 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 the County.

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

#10

RESOLUTION NO. 18-325
(August 14, 2018)

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE
AWARD WITH THE NEW YORK STATE ENVIRONMENTAL FACILITIES
CORPORATION ON BEHALF OF WYOMING COUNTY
WATER RESOURCE AGENCY**

BE IT RESOLVED, That the Chairman of this is hereby authorized and directed to sign a grant application and acceptance award with the *New York State Environmental Facilities Corp.*, 625 Broadway, Albany, NY 12207 on behalf of Wyoming County Water Resource Agency. Said funding is in accordance with the State Septic System Replacement Program County Participation Agreement and for a State Septic Replacement Program in Wyoming County in a minimum amount of seventy-five thousand dollars (\$75,000.00) (first year funding allocation) ; effective March 1, 2018 through December 31, 2022.

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

At the request of Supervisor Leuer, T/Middlebury, Chairman Berwanger recognized Director of Environmental Health Steve Perkins to speak about the State Septic Replacement Program.

Director Perkins stated that this started early in the year as part of the Clean Water Infrastructure Act of 2017. As part of that, a State Septic Replacement Program was created to partially fund ailing or compromised septic systems that are affecting public water supplies. Java Lake and Silver Lake were identified. Wyoming County passed a resolution early this year agreeing to participate in this program and this resolution is for the allocation of the \$75K awarded to the County. Residents surrounding these water bodies and have failing septic systems can apply for this grant program. Based upon eligibility, 50% of costs up to \$10,000.00 can be awarded; first come, first served....

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #11 and #19. Hearing no objection resolution titles were read.

#11

**RESOLUTION NO. 18-326
(August 14, 2018)**

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

CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT APPLICATIONS AND ACCEPTANCE AWARDS WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES (DCJS) ON BEHALF OF THE DISTRICT ATTORNEY'S OFFICE

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the following grant applications and acceptance awards with the *New York State Division of Criminal Justice Services (DCJS)*, 80 South Swan Street, Albany, NY 12210 on behalf of the District Attorney's Office:

- ***Violence Against Women Grant (VAWA Grant)*** to provide domestic violence services to people in Wyoming County in a minimum amount of thirty-two thousand six hundred twenty-three dollars and eighty-four cents (\$32,623.84); effective January 1, 2019 through December 31, 2019.

- ***Aid to Prosecution (ATP Grant)*** to provide assistance to the District Attorney’s Office for the prosecution of felony cases in a minimum amount of thirty thousand two hundred dollars (\$30,200.00); effective October 1, 2018 through September 30, 2019.

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

#12

**RESOLUTION NO. 18-327
(August 14, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH GARY J. HORWITZ, MD
ON BEHALF OF THE DISTRICT ATTORNEY’S OFFICE**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Gary J. Horwitz, MD***, 919 Westfall Road, Suite B20, Rochester, NY 14618 on behalf of the District Attorney’s Office. Said contract is for expert witnesses services in an amount not to exceed ten thousand dollars (\$10,000.00); effective July 1, 2018 through conclusion of the People vs. Joseph Mlyniec case.

Contingent upon the availability of funds.

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

#13

**RESOLUTION NO. 18-328
(August 14, 2018)**

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

RESOLUTION NUMBER 17-347 AMENDED

WHEREAS, Resolution Number 17-347 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE STATE OF NEW YORK UNIFIED COURT SYSTEM ON BEHALF OF THE SHERIFF’S DEPARTMENT**,” passed by this Board of Supervisors on September 12, 2017 and provides for court security for County, Family and Supreme Courts in an amount not to exceed three hundred forty-two thousand eight hundred four dollars (\$342,804.00); effective April 1, 2017 through March 31, 2018; now therefore

BE IT RESOLVED, That ***Resolution Number 17-347*** be hereby amended to increase the total contract amount to three hundred sixty-two thousand three hundred forty-one dollars (\$362,341.00).

All else remains the same.

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

#14

**RESOLUTION NO. 18-329
(August 14, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE ATTICA CENTRAL
SCHOOL DISTRICT ON BEHALF OF THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the *Attica Central School District*, 3338 East Main Street, Attica, NY 14011 on behalf of Sheriff's Department. Said contract to provide a 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.

Contingent upon the availability of funds.

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

#15

**RESOLUTION NO. 18-330
(August 14, 2018)**

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

**APPROVING SOLE SOURCE PROCUREMENT WITH WRAITH TACTICAL
ON BEHALF OF EMERGENCY SERVICES**

WHEREAS, Wyoming County Emergency Services has secured grant funds through the New York State Homeland Security Program for the purchase of active shooter response bags; and

WHEREAS, Emergency Services has researched several possible entities to provide this product and has determined that there is are no other entities, other than *Wrath Tactical*, capable of offering an "equal" product of an active shooter response bag ; and

WHEREAS, Emergency Services has received and retained on file a letter from *Wrath Tactical* indicating that they are the only manufacturer of the Concealed Armor Rapid Response (C.A.R.R.) Pack – an original creation with a patent pending; and

WHEREAS, The C.A.R.R. Pack was designed in conjunction with the Government Training Institute to give all first responders a quick, light and easily deployable option for responding to active shooter incidents; and

WHEREAS, Based upon the above, the Public Safety Committee has determined that *Wrath Tactical* qualifies for sole source status; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby authorizes sole source status for the *Wrath Tactical* pursuant to the Wyoming County Purchasing Policy authorized by Resolution Number 16-359 and adopted by this Board of Supervisors on December 13, 2016 and no other solicitation of written proposals or quotations shall be required; and be it

FURTHER RESOLVED, That pursuant to this Resolution, any contract arising from the sole source provider described above shall be subject to the approval of the County Attorney and contingent upon the availability of funds.

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

#16

**RESOLUTION NO. 18-331
(August 14, 2018)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND 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 award bid and sign a contract with *SAIA Communications, Inc.*, 100 Stradtman Street, Buffalo, NY 14206 on behalf of Emergency Services. Said contract is for the purchase and installation of tower equipment to add an additional tower site to the existing Public Safety VHF Communication System in an amount not to exceed fifty-one thousand seven hundred thirteen dollars and eighty-four cents (\$51,713.84); effective upon signing through completion of project.

Contingent upon the availability of funds.

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

#17

**RESOLUTION NO. 18-332
(August 14, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
MOTOROLA SOLUTIONS, 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 *Motorola Solutions, Inc.*, 1303 East Algonquin Road, Schaumburg, IL 60196 on behalf of Emergency Services. Said contract is for the equipment and installation of an additional, conventional analog simulcast site for the Bennington Tower in an amount not to exceed one hundred twelve thousand one hundred forty-four dollars (\$112,144.00); effective upon signing through completion of project. (*NYS Contract PT 67405*)
Contingent upon the availability of funds.

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

#18

**RESOLUTION NO. 18-333
(August 14, 2018)**

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

RESOLUTION NUMBER 18-270 AMENDED

WHEREAS, Resolution Number 18-270 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH DORINE K. JENKINS ON BEHALF OF EMERGENCY SERVICES,**” passed by this Board of Supervisors on June 12, 2018 and provides for the leasing of a 75’ x 75’ section of land identified by SBL Number 61.-1-8 and located at 5228 Kelly Road in the Town of Middlebury to be used for a County owned, self-supporting one hundred foot (100’) communications tower in an amount not to exceed three hundred dollars (\$300.00) per month; effective September 1, 2018 through August 31, 2023; now therefore

BE IT RESOLVED, That *Resolution Number 18-270*, be hereby amended to increase the monthly rental amount from three hundred dollars (\$300.00) to *five hundred dollars (\$500.00)* and to include a three percent (3%) annual increase for years two (2) through five (5) in amounts not to exceed as follows:

- September 1, 2018 through August 31, 2019 \$6,000.00
- September 1, 2019 through August 31, 2020 \$6,180.00
- September 1, 2020 through August 31, 2021 \$6,365.40
- September 1, 2021 through August 31, 2022 \$6,556.36
- September 1, 2023 through August 31, 2023 \$6,753.05

for a total contract amount not to exceed thirty-one thousand eight hundred fifty-four dollars and eighty-one cents (\$31,854.81).

All else remains the same.

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

#19

**RESOLUTION NO. 18-334
(August 14, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF AGREEMENT WITH
THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND
EMERGENCY SERVICES ON BEHALF OF WYOMING COUNTY
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 the *New York State Division of Homeland Security and Emergency Services*, 1220 Washington Avenue, Albany, NY 12226 on behalf of Wyoming County Emergency Services. Said contract to provide Wyoming County, on a temporary loan basis, a copy of Mutualink Edge software with up to seven (7) user subscriptions for County use, in addition to network interface controllers (NIC) to tie into available county media capabilities; effective on the first Monday immediately following approval by the Office of State Comptroller and shall terminate January 31, 2021.

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

There was a motion by Mr. Davis, T/Covington, to combine resolutions #20 and #23. Hearing no objection resolution titles were read.

#20

**RESOLUTION NO. 18-335
(August 14, 2018)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT
WITH ED HULME, INC. ON BEHALF OF THE PUBLIC DEFENDER
TWO STORY ADDITION CAPITAL IMPROVEMENT PROJECT**

WHEREAS, On July 10, 2018, the Wyoming County Board of Supervisors established, by *Resolution Number 18-313*, the Public Defender Two Story Addition Capital Improvement Project; now therefore

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 award bid and sign a contract with *Ed Hulme's Inc.*, 11 East Buffalo Street, Warsaw, NY 14569 on behalf of Buildings and Grounds (CIP). Said contract is for the construction of a 14 x 30 two-

story addition to the Public Defender’s Facility in an amount not to exceed eighty-one thousand eight hundred fifty-seven dollars (\$81,857.00); effective September 5, 2018 through October 31, 2018.

Contingent upon the availability of funds.

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

#21

**RESOLUTION NO. 18-336
(August 14, 2018)**

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

**HIGHWAY OFFICE BUILDING ROOF CAPITAL IMPROVEMENT PROJECT
ESTABLISHED AND TRANSFERRING FUNDS THEREFORE**

WHEREAS, The Wyoming County Board of Supervisors’ Public Works Committee, Finance Committee and this Board of Supervisors, in consultation with the County Highway Superintendent and the Superintendent of Buildings and Grounds, through discussion during these committee meetings has identified the need to construct a new roof over the office portion of the Highway Department located at 4328 Route 19 South, Silver Springs, NY; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, on the recommendation of the above mentioned committees, hereby establishes the *Wyoming County Highway Office Building Roof Capital Improvement Project* in an amount not to exceed twenty thousand dollars (\$20,000.00) with funds previously set aside for these renovations through the County’s Capital Improvement Project Strategic Plan; and be it

FURTHER RESOLVED, That permission is hereby granted to seek proposals for the completion of this established project; and be it

FURTHER RESOLVED, That funds are hereby transferred as follows:

Buildings & Grounds (CIP)			
From: 12.61.9950.9.99004 Capital Fund	\$20,000.00		
To: 12.61.1620.2.21022 Highway Dept. CIP		\$20,000.00	
Reason: To replace roof over office portion of the Highway Dept.			
Buildings & Grounds (CIP) Total			\$20,000.00

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

#22

**RESOLUTION NO. 18-337
(August 14, 2018)**

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 nine (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 and ROW*.

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

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

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

FURTHER RESOLVED, That the sum of *\$117,000.00* 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 so 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

RESOLVED, This Resolution shall take effect immediately and incorporates Resolution

No. 18-077 approved by this Board of Supervisors on February 13, 2018.

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

#23

**RESOLUTION NO. 18-338
(August 14, 2018)**

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

COUNTY HIGHWAY SUPERINTENDENT AUTHORIZED TO EXTEND THE SNOW AND ICE REMOVAL AGREEMENTS WITH TOWNS AND VILLAGES FOR 2019/2020

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby authorizes the Superintendent of Highways to enter into agreements with the various Towns and Villages for the purpose of removing snow and the control of ice on County roads for the winter season of **2019/2020**. Payment will be made to the Towns and Villages by the County from the County Snow Funds as follows:

- **2019/2020** ~ The base rate will be frozen at the 2017/2018 base rate:
 - If the *State Snow Index* goes above 1.4, as determined by New York State Department of Transportation calculations, the base rate will be increased by \$100.00 per mile.

Contingent upon the availability of funds.

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

There was a motion by Mr. Brick T/Perry, to combine resolutions #24 and #36. Hearing no objection resolution titles were read.

#24

**RESOLUTION NO. 18-339
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN 2019 INSURANCE

RATES ON BEHALF OF CURRENT AND RETIRED COUNTY EMPLOYEES

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 health insurance rate sheets with *Blue Cross/Blue Shield*, 257 Genesee Street, Buffalo, NY 14240 and *The Evans Agency Purchasing Coalition Trust*, One Grimsby Drive, Hamburg, NY 14075. Insurance purchased through The Evans Agency with rates as follows; effective January 1, 2019 through December 31, 2019:

Employee BCBS High Deductible Plan

- ❖ Single \$ 579.68
- ❖ Family \$1,572.56

Retiree BCBS High Deductible Plan

- ❖ Single \$921.36
- ❖ Two-Person \$1,888.80
- ❖ Family \$2,856.18

Contingent upon the availability of funds.

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

#25

**RESOLUTION NO. 18-340
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
FOOTE & MEYER, PLLC ON BEHALF OF THE COUNTY TREASURER**

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 *Foote & Meyer, PLLC*, 23 West Court Street, Warsaw, NY 14569 on behalf of the County Treasurer. Said contract is for legal services for delinquent tax enforcement in an amount not to exceed seven thousand five hundred dollars (\$7,500.00); effective August 14, 2018 through August 13, 2020.

Contingent upon the availability of funds.

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

#26

**RESOLUTION NO. 18-341
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
NAPOLI SHKOLNIK, PLLC ON BEHALF OF THE COUNTY TREASURER**

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 *Napoli Shkolnik, PLLC*, 400 Broadhollow Road, Melville, NY 11747 on behalf of the County Treasurer. Said contract is for special counsel to determine the feasibility of bringing an action against telecommunication companies for their failure to collect or remit 911 surcharges to Wyoming County in an amount not to exceed twenty-five percent (25%) of all gross amounts recovered; effective August 14, 2018 through completion of service. Contingent upon the availability of funds.

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

#27

**RESOLUTION NO. 18-342
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

APPROVES PROPERTY AUCTION SALES

WHEREAS, The County has acquired the deed for the following properties pursuant to a Judgment of Foreclosure under Article 11 of the Real Property Tax Law; and

WHEREAS, The Wyoming County Board of Supervisors has determined that these properties are surplus properties based on their location, condition, age and lack of suitability for any public use; and

WHEREAS, The Finance Committee of the Board has obtained bids at public auction for said properties and recommends the acceptance thereof, namely:

183.9-1-3	<i>Colleen M. Richardson</i> , 12 Prospect Street, Arcade, NY has offered \$3,400 for property located at 503 North Street in the Town of Arcade.
163.-1-46.3	<i>Robert A. Titus</i> , 2891 Bush Road, Clover, SC has offered \$31,000 for property located at 6488 Stinson Road in the Town of Arcade.
19.2-1-12	<i>Brittnay Dawn Breen</i> , 8 Oakwood Ave, Lancaster, NY has offered \$600 for property located at 636 Exchange Street in the Town of Attica.
57.-1-46	<i>William R. Dunn</i> , 1925 Maxon Road, Varysburg, NY has offered \$2,300 for property located at Maxon Road in the Town of Bennington.
28.-3-33	<i>Todd A. and Karen L. DeYoung</i> , 1450 Bailey Road, Cowlesville, NY has offered \$12,200 for property located at 1420 Bailey Road in the Town of Bennington.
147.7-3-37	<i>Christopher E. and Diana M. Carney</i> , 41 E Mill Street, Castile, NY has offered \$400 for property located at 15 North Main Street in the Town of Castile.
25.-1-26	<i>Philip P. Heiman</i> , 6836 Junction Road, Pavilion, NY has offered \$14,300 for property located at 614 Route 246 in the Town of Covington.

122.20-36-27	<i>Doawe Services</i> , 3993 Mote Road, Gainesville, NY has offered \$10,200 for property located at 27 East Ribaud Avenue in the Town of Gainesville.
122.20-1-1	<i>James Weiss</i> , 52 Regent Street, Buffalo, NY has offered \$4,300 for property located at 105 Orchard Street in the Town of Gainesville.
140.8-8-11	<i>Brian and Laura Beitz</i> , 4918 Rt. 98, North Java, NY has offered \$500 for property located at Block G #44 in the Town of Java.
140.8-8-14	<i>Brian and Laura Beitz</i> , 4918 Rt. 98, North Java, NY has offered \$400 for property located at Block G #46 - #49 in the Town of Java.
140.8-6-27	<i>Jenny E. Dimick</i> , 554 Schoellkopf Road, Cowlesville, NY has offered \$1,100 for property located at North Shore Drive, #82-83 in the Town of Java.
140.8-6-29	<i>Jenny E. Dimick</i> , 554 Schoellkopf Road, Cowlesville, NY has offered \$550 for property located at Java Lake Park in the Town of Java.
139.-2-41	<i>Brian and Laura Beitz</i> , 4918 Rt. 98, North Java, NY has offered \$16,000 for property located at 998 Chaffee Road in the Town of Java.
140.8-5-42	<i>James E. Pazderski</i> , 1041 Come Park Blvd, Depew, NY has offered \$1,050 for property located at Java Lake Park #39 in the Town of Java.
82.-1-53	<i>Robert A. and Loretts S. Green Jr.</i> , 14 Ribaud Ave, Silver Springs, NY has offered \$1,950 for property located at Syler Road in the Town of Orangeville.
100.8-4-16	<i>Nicole Catherine, LLC</i> , 43 Genesee Street, Warsaw, NY has offered \$30,250 for property located at 43 Walnut Street in the Town of Perry.
100.7-10-45	<i>Wolf Creek Properties, LLC</i> , 5714 Glen Iris Road, Castile, NY has offered \$8,000 for property located at 64 Leicester Street in the Town of Perry.
100.8-2-51	<i>Michael & Joseph Cipolla</i> , 145 Water Street, Perry, NY has offered \$2,350 for property located at 35 Gardeau Street in the Town of Perry.
100.11-2-58	<i>Alexander P. Kramell</i> , 10 Leicester Street, Perry, NY has offered \$5,300 for property located at 10-12 St. Helena Street in the Town of Perry.
657.-2-37.2	<i>Dennis and Cristine Cramer Mills</i> , 2 nd , 2113 Route 20A, Varysburg, NY has offered \$8,200 for property located at 2181 Route 98 in the Town of Sheldon.
85.11-1-33	<i>Backhoe Realty LLC</i> , 5475 Sheppard Road, Bliss, NY has offered \$28,250 for property located at 132 Brooklyn Street in the Town of Warsaw.
61.-2-60.12	<i>Colt Schleede</i> , 5116 Fox Road, Wyoming, NY has offered \$11,100 for property located at 4898 Stevens Road in the Town of Warsaw.
98.-1-53	<i>Thomas F. and Diane L. Hollister</i> , 101 Miner Street, Warsaw, NY has offered \$17,100 for property located at 5580 Oatka Road in the Town of Warsaw.
74.-1-41	<i>Russell F and Barbara J Ellis</i> , 3600 Socha Way, Port Orange, FL has offered \$46,000 for property located at 2786 Fisher Road in the Town of Warsaw.
119.-1-1	<i>Michael H. Woolley</i> , 4720 Poplar Tree Road, Gainesville, NY has offered \$42,000 for property located at 4263 Poplar Tree Road in the Town of Wethersfield.
107.-2-7-113	<i>Thomas F. and Diane L. Hollister</i> , 101 Miner Street, Warsaw, NY has offered \$23,000 for property located at Wethersfield Road in the Town of Wethersfield.

RESOLVED, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a Treasurer's Deed to the purchaser, providing payment of said purchase price is received by him on or before September 21, 2018.

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

#28

RESOLUTION NO. 18-343
(August 14, 2018)

By Mr. Brick, Chairman of the Finance Committee:

POSITION(S) APPROVED

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

Human Resources

- Create one (1) position of ***Human Resources Assistant II*** (1.00 FTE) and place on Salary Schedule S with a salary range of \$35,000.00 - \$40,000.00 annually; position available is August 1, 2018.
- Abolish one (1) position of ***Human Resources Assistant*** (position code #004.434) on Schedule S; effective August 6, 2018.

Social Services

- Create one (1) position of ***Caseworker Trainee*** on CSEA Schedule A, Grade 12 (\$19.33 - \$22.14/hr.); position available is August 14, 2018.

Public Health

- Abolish one (1) position of ***Fiscal Officer I*** (1.00 FTE) (position code #129.282) on Salary Schedule S at \$37,740.00 annually; effective August 14, 2018.
- Create one (1) position of ***Fiscal Officer (Public Health)*** (1.00 FTE) on Salary Schedule S with a salary yet to be negotiated; position available is August 14, 2018.

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

#29

RESOLUTION NO. 18-344
(August 14, 2018)

By Mr. Brick, Chairman of the Finance Committee:

CREATION OF DEPUTY SHERIFF POSITION APPROVED

WHEREAS, Recent events related to school safety emphasize the importance of the School Resource Officer (SRO) program. School Resource Officers (SROs) are integral components of our educational institutions, forming positive relationships with students and addressing school behavior issues before they become serious; and

WHEREAS, The Wyoming County Board of Supervisors has taken steps to support the funding of a SRO in all school districts within Wyoming County; and

WHEREAS, To demonstrate this commitment, Wyoming County Officials, along with Senator Patrick Gallivan, School District Superintendents and Village Police Chiefs met on Wednesday, March 6, 2018 to determine a plan of action; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors is committed to making sure all School Districts in Wyoming County have access to School Resource Officers to fulfill the County’s commitment to school safety and the mission of our School Districts and New York State’s constitutional obligation to provide a safe environment for “*sound basic education*”; and be it

FURTHER RESOLVED, That one (1) position of *Deputy Sheriff* on Schedule WCDSA Grade 4 (\$22.18 - \$28.36/hr.) be hereby created in the Sheriff’s Department to help fulfill these goals; position available date August 14, 2018.

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

#30

**RESOLUTION NO. 18-345
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULES “G” AND “C” AMENDED

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

Salary Schedule “G”:

Public Defender

- To provide a one-time stipend with fringe to the *Wyoming County Budget Officer* in the amount of \$1,613.00.
 - Said amount is one time stipend effective and payable immediately.
 - Funds provided through ILS Grant Upstate Quality Improvement and Caseload Reduction Grant.
 - Contract C000656

Salary Schedule “C”:

Wyoming County Community Health System

- Place one position of *Clinic Office Manager* under CLINICS and set the salary at \$65,000.00 annually; position available date is July 25, 2018.

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

#31

**RESOLUTION NO. 18-346
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

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

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

- **Quinlan's Pharmacy, Inc., d/b/a Quinlan's LTC Pharmacy**, 107 North Main Street, Wayland, NY 14572 for pharmaceutical and consulting pharmacist services in an amount not to exceed three hundred sixty thousand dollars (\$360,000.00) per year; effective October 1, 2018 through September 30, 2021.
- **Nova Biomedical**, 200 Prospect Street, Waltham, MA 02454 for glucometer testing strips in a committed quantity of one hundred twenty-five (125) per year at a set price of five hundred twenty-nine dollars and fifty-two cents (\$529.52) each for a *minimum* annual amount of sixty-six thousand one hundred ninety dollars (\$66,190.00) for a five (5) year contract term in a *minimum* amount of three hundred thirty thousand nine hundred fifty dollars (\$330,950.00); effective July 23, 2018 through July 22, 2023.
- **Sunbelt Staffing**, 3687 Tampa Road, Suite 200, Oldsmar, FL 34677 for agency staff to provide coverage where needed in an amount not to exceed five hundred thousand dollars (\$500,000.00) per year; effective July 20, 2018 through July 1, 2020.

Contingent upon the availability of funds.

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

#32

**RESOLUTION NO. 18-347
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 18-092 AMENDED

WHEREAS, Resolution Number 18-092 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on February 13, 2018 and provides, in part, for the following contract:

- **GE Healthcare**, 9900 Innovation Drive, Wauwatosa, WI 53226 for the purchase of a refurbished GoldSeal Infinia II Gamma Camera in an amount not to exceed two hundred twenty-eight thousand eight hundred thirty-nine dollars and fifty cents (\$228,839.50); effective December 13, 2017.

Now therefore,

BE IT RESOLVED, That **Resolution Number 18-092** be hereby amended to rescind this contract in its entirety.

All else remains the same.

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

#33

**RESOLUTION NO. 18-348
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH GE HEALTHCARE ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, “**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,**” the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign a contract with **GE Healthcare**, PO Box 96483, Chicago, IL 60693 on behalf of the Wyoming County Community Health System. Said contract is for the purchase of a Discovery 630 Gamma Camera in an amount not to exceed two hundred ninety-seven thousand nine hundred sixty-five dollars and sixty-two cents (\$297,965.62); effective June 26, 2018 through purchase of camera.

Contingent upon the availability of funds.

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

#34

**RESOLUTION NO. 18-349
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 18-304 AMENDED

WHEREAS, Resolution Number 18-304 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY**”

COMMUNITY HEALTH SYSTEM,” passed by this Board of Supervisors on July 10, 2018 and provides, in part, for the following contracts:

- **Honeylee D. Agustin, MD**, 313 Rensselaer Avenue, Ogdensburg, NY 13669 to provide part time Pediatrician services and maternity/newborn call services in an amount not to exceed one hundred eighty-five thousand dollars (\$185,000.00) per year; effective September 1, 2018 through August 31, 2020 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance.
- **Jamestown Psychiatric, PC**, 305 E Fairmount Avenue, Lakewood, NY 14750 to provide services for the inpatient Behavioral Health Unit on an emergency basis in an amount not to exceed fifty thousand dollars (\$50,000.00); effective June 22, 2018 through July 31, 2018.

Now therefore,

BE IT RESOLVED, That **Resolution Number 18-304** be hereby amended as follows:

- **Honeylee D. Agustin, MD**, 313 Rensselaer Avenue, Ogdensburg, NY 13669
 - Contract is amended to reflect an Employment Agreement on Salary Schedule P.
- **Jamestown Psychiatric, PC**, 305 E Fairmount Avenue, Lakewood, NY 14750
 - Contract is amended to extend the term from July 31, 2018 through August 31, 2018 in an amount not to exceed fifty thousand dollars (\$50,000.00) for said additional term.

All else remains the same.

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

#35

**RESOLUTION NO. 18-350
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**WYOMING COUNTY COMMUNITY HEALTH SYSTEM
SALARY SCHEDULE “P” BENEFIT PACKAGE SUMMARY ADOPTED**

BE IT RESOLVED, That the Wyoming County Community Health System Salary Schedule “P” Benefit Package Summary attached hereto, as amended, is adopted as presented.

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

SCHEDULE "P"

WYOMING COMMUNITY HEALTH SYSTEM BENEFITS

Applies to Physician and Mid-level employees who are considered to be exempt employees under the Fair Labor Standards Act.

PAID TIME OFF (PTO)

Paid time off will be granted at the beginning of each anniversary year to full-time employees as follows: 30 days for employees who work 5 days per week, 24 days for employees who work 4 days per week, and 18 days for employees who work 3 days per week. **Paid time off during the first year will be accrued monthly at the rate of one twelfth of the total annual PTO days.** PTO includes vacation, holiday and sick days. PTO must be used during the anniversary year or it will be forfeited. Requests for planned time off must be pre-approved.

HEALTH INSURANCE

The current health plan for the County is a High Deductible Health Plan with a Health Reimbursement Account (HRA). The County will contribute on an annual basis an amount equal to the plan deductible to the HRA. Any unused amounts in the HRA at the end of the each plan year shall be forfeited. Full-time employees will contribute 8% of the total premium for a Single Plan and 20% of the total premium for a Family Plan. Part-time employees will be entitled to a prorated County contribution to health insurance based on their percentage of approved FTE of 0.6 or higher. Premiums will be deducted over 24 pay periods per year on a pre-tax basis. Repudiation is not available.

DENTAL INSURANCE

The current dental insurance for the County offers two options – 1) High Option and 2) Low Option. The employee will pay the total premium and it will be deducted over 24 pay periods per year on a pre-tax basis.

NEW YORK STATE RETIREMENT

The County offers retirement benefits in accordance with the requirements of the New York State Retirement System. For more information go to their website at <http://www.osc.state.ny.us/retire>.

DEFERRED COMPENSATION RETIREMENT PLAN 457

All employees are eligible to participate in the voluntary supplemental retirement savings plan at any time. This program allows employees to save and invest a portion of their earnings toward retirement. Pre-tax contributions are automatically deducted from each pay check and deposited to your account.

WORKERS COMPENSATION

Workers compensation insurance covers lost wages and medical care payments for employees injured on-the-job. These benefits are based on New York State Workers' Compensation Law.

DISABILITY INSURANCE

Full time employees are covered under the enhanced Disability Insurance Plan for an injury or illness NOT arising out of or in the course of employment. The weekly benefit is 50% of basic weekly earnings up to a maximum of \$500 per week for up to 52 weeks. Accrued PTO time must be exhausted prior to receiving benefits under this plan. These benefits are subject to the terms of the plan. This insurance coverage is provided at no cost to the employee. Part time employees are NOT eligible for statutory NYS Disability Insurance.

CONTINUING MEDICAL EDUCATION (CME)

Continuing medical education is available annually up to \$1,500 and one week or five days of additional paid time off each calendar year for full time employees; pro-rated for part time employment. Reimbursement will be paid upon successful completion/attendance and presentation of receipts. Unused CME benefits will not carry over from year to year. Benefits will be pro-rated in the first year of employment.

DUES AND SUBSCRIPTIONS

Professional membership dues and subscription requests will be reviewed and approved through the annual budget process.

RECORD OF REVISION

REV. #	DESCRIPTION OF CHANGE	PAGE #S / SECTION #S IMPACTED BY CHANGE(S)	DATE
0	Original issue	All	01/26/2016 BOM 02/09/2016 BOS
1	Revision-changed PTO granted on anniversary date; health & dental deductions to 24 pay period, removed health and dental carrier names	All	03/22/2016 BOM
2	Revision – changed PTO granted/used to anniversary date	All	04/26/2016 BOM 05/10/2016 BOS
3	Revision – amended health insurance language to include part-time employees	1	10/25/2016 BOM 11/08/2016 BOS
4	Defined PTO days earned based on days per week worked	1	06/26/2018 BOM 07/10/2018 BOS
5	Clarify that PTO days are accrued monthly during the first year	1	07/24/2018 BOM 08/14/2018 BOS

#36

**RESOLUTION NO. 18-351
 (August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH
 J & S AGEN, INC. ON BEHALF OF THE WYOMING COUNTY COMMUNITY
 HEALTH SYSTEM**

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 award bid and sign a contract with *J & S Agen, Inc.*, 24 Edward Street, Arcade, NY 14009 on behalf of the Wyoming County Community Health System. Said contract is for one (1) 4’5” by 8’3” double face, 10 mm LED video display outdoor message sign (including sign, base and installation) in an amount not to exceed fifty-five thousand nine hundred dollars (\$55,900.00); effective August 15, 2018 through completion of project.

Contingent upon the availability of funds.

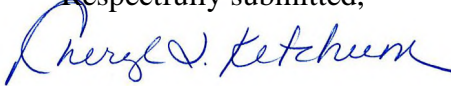
Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

Before adjourning the meeting, Chairman Berwanger recognized the CEO of the Wyoming County Community Health System, Don Eichenauer.

RETIREMENT OF COLORS ~

- *By Dedicated Retired Veterans of Wyoming County*
There being no further business to come before this Board, Senior Supervisor Davis, T/Covington adjourned the meeting at 3:08 PM with a rap on his desk.

Respectfully submitted,



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

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Human Resource

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