

**REGULAR SESSION
(September 11, 2018)**

Tuesday

2:30 PM

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

At 2:33 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

SGT. Donald L. Daugherty

Mr. Daugherty was born in Pennsylvania in 1942 reported for basic training on September 28, 1963 at Fort Dix, New Jersey.

Fort Dix started out as an Army camp, one of 13, established by the War Department to train soldiers for World War I. At the end of World War II, the reception center became the separation center, returning more than 1.2 million soldiers to civilian life.

Fort Dix became a basic training center on July 15, 1947 and expanded rapidly during the Vietnam War. A mock Vietnamese village was constructed and soldiers received Vietnam-specific training prior to going overseas. From there, Mr. Daugherty was ordered to North Tonawanda Company A, 1st Battalion (MECH), 174th Infantry in the Army National Guard of New York where he served for three years until enlisting for active duty. He then was retrained at Fort Leonard Wood, Missouri before heading off to Vietnam with the 110th Quartermaster Corps Company, US Army Ground Troop Command, Third US Army out of Fort Steward, Georgia.

Mr. Daugherty, like many others, earned his high school degree before being honorably discharged in 1970 completing six years of military service. For his valor and courageous service to his country, Mr. Dougherty was awarded the:

- Vietnam Service Medal
- Vietnam Combat Metal with 60 Device
- Two (2) Overseas Service Bars
- Two (2) Presidential Unit Accommodations
- National Defense Service Medal
- Army Good Conduct Medal

During his re-adjustment to civilian life, Mr. Daugherty married his wife, Judith, in 1975. He worked for many years at GE in Tonawanda and is an active member of the Rock Glen Baptist Church where he participates in a weekly bible study at the Vertical Café. Mr. Daugherty also reads the bible to inmates at the Wyoming County Jail. He has two children, nine grandchildren and one great-grandchild that bring much happiness to his life.

The pledge was said by all.

Chairman Berwanger requested, before presenting the customary certificate of appreciation to Mr. Daugherty, a moment of silence in honor of the lives lost in the 9/11 terrorist attacks that occurred seventeen years ago on this day in 2001.

Chairman Berwanger then requested Supervisor King, T/Pike join them at the podium for the presentation and Mr. Daugherty opportunity to address the Board.

Mr. Daugherty asked who present served in the military... After a show of hands, Mr. Daugherty thanked these individuals for their service.

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

Chairman Berwanger then welcomed Assistant County Attorney Janet Benzman who was attending in the absence of the County Attorney Wujcik.

COMMUNICATIONS ~

- None

OPEN PUBLIC HEARINGS ~

- “Local Law No. 4, Year 2018 (Introductory D, Year 2018) Entitled, “***A Local Law To Continue to Impose a County Recording Tax on Obligations Secured by a Mortgage on Real Property and to Repeal Local Law Number 8 of 2008***”

#1

**RESOLUTION NO. 18-352
(September 11, 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:

Buildings & Grounds (CIP)			
From: 12.61.9950.9.99004 Transfer to Capital Fund	\$35,000.00		
To: 12.61.1620.2.21024 Dog Control CIP		\$35,000.00	
Reason: For additional renovation required at the Animal Shelter.			

Buildings & Grounds (CIP) Total			\$35,000.00
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Public Health			
From: 01.38.4010.1.10001 PH FT S/D/I salaries To: 01.38.4011.1.10202 DWE Temporary Reason: Transfer funds from PH S/D/I Salaries to DWE Grant Salaries to fund PH Technician (per diem); approved by Res. #18-248 on 05/08/18.	\$4,600.00	\$4,600.00	

From: 01.38.4010.4.42461 CSP Grant To: 01.38.4010.1.10101 PH FT CSEA Salary Reason: Transfer budgeted NYSDOH Cancer Services Grant funds.	\$23,670.00	\$23,670.00	
Public Health Total			\$28,270.00

District Attorney			
From: 01.32.1168.8.81001 Retirement To: 01.32.1168.4.41010 Office Supply Reason: To spend down grant funds.	\$124.13	\$124.13	
District Attorney Total			\$124.13

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

#2

**RESOLUTION NO. 18-353
(September 11, 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:

Emergency Services			
To: 01.37.3645.4.40301J Prof Service C974680 2018 w/01.12.3645.43890J HSG C974680 SHSP 2018 Reason: To appropriate Homeland Security 2018 funding to hire a consultant to update and overhaul current comprehensive emergency response plan.	\$52,485.00	\$52,485.00	
Emergency Services Total			\$52,485.00
Social Services			
To: 01.39.6010.4.41111 Computers & Technology w/01.11.6010.3610 State Aid DSS Administration Reason: To cover the cost of <i>Raise the Age</i> computer equipment. 100% state funding.	\$550.00	\$550.00	
To: 01.39.6010.2.20401 Misc. Equipment w/01.11.6010.3610 State Aid DSS Administration 01.12.6010.4611 Federal Aid Food Stamp Program Reason: To cover the increased cost of three scanners. State contract expired and we had to get quotes and the price is higher. SNAP Bonus Award – 50% Federal/50% State.	\$250.00	\$125.00 125.00	
Social Services Total			\$ 800.00

Mental Health			
To: 01.38.4322.4.42408 Livingston/Wyoming ARC w/01.11.4322.3490 State Aid Reason: To accommodate a change in state aid received.	\$285.00	\$285.00	
To: 01.38.4323.4.42420 Psycho/Social 01.38.4323.4.42412 Forensic Case Management w/01.11.4323.3490 State Aid Reason: To accommodate a change in state aid received.	\$286.00 \$2,481.00	\$2,767.00	
To: 01.38.4325.4.42419 Drop-In 01.38.4325.4.42468 Transportation Program 01.38.4325.4.42441 Misc. MH Program 01.38.4325.4.42467 Crisis Outreach 01.38.4325.4.42445 Supported Apartment 01.38.4325.4.42409 Advocacy Services w/01.11.4325 .3490 State Aid Reason: To accommodate a change in state aid received.	\$299.00 315.00 313.00 351.00 37,177.00 2,628.00	\$41,083.00	
To: 01.38.4310.4.41801 Misc. Assess/Chg. Other Govt. w/01.12.4310.4490 MH. Fed, Salary Sharing Reason: For court ordered placements for mental illness treatment.	\$6,000.00	\$6,000.00	
To: 01.38.4250.4.42405 Alcoholism Treat (MH) w/01.11.4250.3490 Alcohol Addiction Control SA Reason: To accommodate a change in state aid received.	\$2,716.00	\$2,716.00	
Mental Health Total			\$52,851.00
Public Health			
To: 01.38.4011.2.23001 Motor Vehicles w/01.08.4010.2665 PH Sale of Equipment 01.08.4010.2680 PH Insurance Recovery Reason: Appropriate insurance and auction proceeds from HD vehicle involved in MVA toward purchase of a new vehicle.	\$3,738.66	\$180.00 3,558.66	
To: 01.38.4010.4.42429 Rabies Treatment <i>w/any funds available</i> Reason: For additional funds to cover the cost of human rabies post-exposure treatment.	\$39,000.00	\$39,000.00	
Public Health Total			\$42,738.66
Buildings & Grounds (Co. Bldgs.)			
To: 01.34.1620.1.10202 Temporary 01.34.1620.8.81001 Retirement 01.34.1620.8.83001 FICA 01.34.1620.8.85001 Medicare-FICA <i>w/any funds available</i> Reason: To cover FICA, Retirement and Medicare for Carpenter (per diem) (Temp.) and Laborer (per diem) (Temp.).	\$24,541.20 3,926.59 1,521.55 355.84	\$30,345.18	
Buildings & Grounds (Co. Bldgs.) Total			\$30,345.18

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

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$4,572,333.32** for the month of **August 2018**.

#3

**RESOLUTION NO. 18-354
(September 11, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH NTS DATA SERVICES
ON BEHALF OF THE BOARD OF ELECTIONS**

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 *NTS Data Services*, 2079 Sawyer Drive, Niagara Falls, NY 14304 on behalf of the Board of Elections. Said contract is for the provision of mail check postcards to all registered voters in Wyoming County in an amount not to exceed five thousand one hundred dollars (\$5,100.00); effective July 1, 2018 through June 30, 2019.

Contingent upon the availability of funds.

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

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #4 through #7. Hearing no objection resolution titles were read.

#4

**RESOLUTION NO. 18-355
(September 11, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE
AWARD WITH THE NEW YORK STATE DIVISION OF VETERANS AFFAIRS ON
BEHALF OF VETERANS SERVICES**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and acceptance award with the *New York State Division of Veterans Services*, Matthew Courcelle OGS Division of Financial Administration, P. O. Box 2166, Empire State Plaza, Albany, NY 12220-0282 on behalf of Veterans Services. Said funding to provide services to Veterans in our locality in a minimum amount of eight thousand five hundred twenty-nine dollars (\$8,529.00); effective April 1, 2018 through March 31, 2019.

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

#5

**RESOLUTION NO. 18-356
(September 11, 2018)**

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

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

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and acceptance award with the *New York State Office for the Aging*, 2 Empire State Plaza, Albany, NY 12223 on behalf of Wyoming County Office for the Aging. Said funding is for information and assistance regarding choices for long term care services and support for residents of all ages in Wyoming County in a minimum amount of one hundred sixty-eight thousand eight hundred sixty-three dollars (\$168,863.00); effective April 1, 2018 through March 31, 2019.

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

#6

**RESOLUTION NO. 18-357
(September 11, 2018)**

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

NATIONAL YOUTH COURT MONTH PROCLAIMED

WHEREAS, Throughout September more than 1200 Youth Court programs operate in the nation’s juvenile justice systems and will celebrate “National Youth Court” month; and

WHEREAS, Youth Courts are one of the fastest growing crime prevention programs in the nation. Youth Courts emphasize the importance of being involved in one’s community and provide our youth with an opportunity to learn about government and take an active role in upholding our democratic principles; and

WHEREAS, Youth Courts empower youth through involvement in community solutions by developing skills in leadership, decision-making, and problem solving. Youth learn the appropriate use of peer pressure and are given opportunities to mentor and instill integrity in their peers. They gain a clearer understanding of our nation’s judicial system; and

WHEREAS, We all should strive to reduce juvenile delinquency in this country. Youth Court teaches our youth about accountability and the consequences of making poor choices; they also reward responsible behavior; and

WHEREAS, The Wyoming County Board of Supervisors strongly supports Youth Court programs because they help build healthier and safer communities and the Board commends the youth and adult volunteers who support the Wyoming County Youth Bureau’s Youth Court; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim the month of September 2018 as **YOUTH COURT MONTH** in Wyoming County and

calls on all citizens to find ways to give their time, energy and talents to serve and support the Wyoming County Youth Court.

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

#7

**RESOLUTION NO. 18-358
(September 11, 2018)**

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

HUNGER ACTION MONTH PROCLAIMED

WHEREAS, Hunger is a grave concern for the State of New York and Wyoming County;
and

WHEREAS, According to Feeding America, there are an estimated 4,640 Wyoming County residents who are considered food insecure, meaning they lack access to enough nutritious food to live a healthy life; and

WHEREAS, For the youngest residents of our county, food insecurity is more ubiquitous, affecting 1 in 5 children; and

WHEREAS, Wyoming County is committed to working with Foodlink and local hunger relief agencies to educate people about the role of food banks and hunger relief programs in addressing hunger; and

WHEREAS, Many of our impoverished communities are classified as food deserts and have limited access to fresh fruits and vegetables. They lack supermarkets and grocery stores, and are instead served by fast food restaurants and convenience stores that offer very few healthy, affordable food options. Residents of these neighborhoods have high health disparities, with increased levels of obesity and other diet-related diseases, such as diabetes and heart disease; and

WHEREAS, Foodlink and its network of hunger-relief organizations provided over 17 million pounds of food to vulnerable children, seniors and adults in its 10-county service area throughout the Finger Lakes and Genesee Valley regions of New York; and

WHEREAS, Food banks across the country, including Foodlink, will host events and activities throughout the month of September to bring awareness and attention to the issue of hunger and encourage the involvement of our community to help solve this pressing issue; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors proclaims the month of September 2018 as **HUNGER ACTION MONTH IN WYOMING COUNTY**.

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

Chairman Berwanger invited Supervisor Grant, T/Bennington to the podium to read the proclamation.

Supervisor Grant asked OFA Dir. Aldinger to join her at the podium. Dir. Aldinger then requested that Youth Court Coordinator J. Hudson also join them. Dir. Aldinger then read the proclamation.

Dir. Aldinger thanked the board for their continued support and noted that the Wyoming County Youth Court is one of the oldest youth courts in the state. She stated that this program saves the County a ton of money as two family court appearance averages \$5,500, where Youth Court costs about \$400... There are 33-trained Youth Court members throughout the County who hear cases and hand out sanctions.

Supervisor Grant noted that nobody was present from Foodlink to receive the proclamation and requested that it be provided to them at a later date. Supervisor Grant read the proclamation.

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #8 through #15. Hearing no objection resolution titles were read. Clerk Ketchum noted that Resolution #14 was updated in the Supervisor's packet to give some greater detail to the contract.

#8

**RESOLUTION NO. 18-359
(September 11, 2018)**

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

SUICIDE PREVENTION AWARENESS MONTH PROCLAIMED

WHEREAS, The month of September 2018 is National Suicide Prevention Awareness Month and is intended to help promote the awareness surrounding the resources that are available to the community; and

WHEREAS, Suicide loss affects the victim's family, friends, colleagues and the community as a whole; and

WHEREAS, Suicide is a preventable death; and

WHEREAS, The Wyoming County Suicide Prevention Coalition works toward promoting a healthier and safer community by supporting emotional wellness; and

WHEREAS, The Wyoming County Suicide Prevention Coalition is dedicated to suicide prevention by educating the community on prevention strategies, promoting crisis and intervention resources and expanding support through community-wide partnerships; and

WHEREAS, Wyoming County recognizes that when hope evolves, life prevails; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, does hereby proclaim September 2018 as **SUICIDE PREVENTION AWARENESS MONTH** in Wyoming County.

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

#9

**RESOLUTION NO. 18-360
(September 11, 2018)**

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

RESOLUTION NUMBER 17-462 AMENDED

WHEREAS, Resolution Number 17-462 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LIVING OPPORTUNITIES OF DEPAUL ON BEHALF OF MENTAL HEALTH**” was passed by this Board of Supervisors on November 14, 2017 and provides for residential programs in an amount not to exceed three hundred twenty-three thousand nine hundred sixty-five dollars (\$323,965.00); effective January 1, 2018 through December 31, 2018; and

WHEREAS, That Resolution Number 17-462 was previously amended by this Board of Supervisors on May 8, 2018 by *Resolution Number 18-222* to reflect a 2018 COLA increase of one thousand six hundred thirteen dollars (\$1,613.00) for a new total contract amount of three hundred twenty-five thousand five hundred seventy-eight dollars (\$325,578.00); now therefore

BE IT RESOLVED, That *Resolution Number 17-462*, as previously amended by *Resolution Number 18-222*, be hereby further amended to reflect an increase in state aid of twenty-one thousand eight hundred two dollars (\$21,802.00) for a new total contract amount of three hundred forty-seven thousand three hundred eighty dollars (\$347,380.00).

All else remains the same.

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

#10

**RESOLUTION NO. 18-361
(September 11, 2018)**

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

RESOLUTION NUMBER 17-461 AMENDED

WHEREAS, Resolution Number 17-461 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH MENTAL HEALTH ASSOCIATION OF ROCHESTER AND MONROE COUNTY ON BEHALF OF MENTAL HEALTH**” was passed by this

Board of Supervisors on November 14, 2017 and provides for Peer Operated Programs in Wyoming County in an amount not to exceed two hundred seventy-eight thousand four hundred forty-two dollars (\$278,442.00); effective January 1, 2018 through December 31, 2018; and

WHEREAS, That Resolution Number 17-461 was previously amended by this Board of Supervisors on May 8, 2018 by **Resolution Number 18-224** to reflect a 2018 COLA increase of eight thousand three hundred forty-three dollars (\$8,343.00) for a new total contract amount of two hundred eighty six thousand seven hundred eighty-five dollars (\$286,785.00); now therefore

BE IT RESOLVED, That **Resolution Number 17-461**, as previously amended by **Resolution Number 18-224**, be hereby further amended to reflect an increase in state aid of one thousand two hundred ninety-two dollars (\$1,292.00) for a new total contract amount of two hundred eighty-eight thousand seventy-seven dollars (\$288,077.00).
All else remains the same.

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

#11

**RESOLUTION NO. 18-362
(September 11, 2018)**

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

RESOLUTION NUMBER 17-384 AMENDED

WHEREAS, Resolution Number 17-384 entitled, **“CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF MENTAL HEALTH”** was passed by this Board of Supervisors on October 10, 2017 and provides, in part, for the following contract:

- **Livingston/Wyoming ARC**, 18 Main Street Mt. Morris, NY 14510 for competitive employment services for the mentally ill residents of Wyoming County in an amount not to exceed forty-nine thousand seven hundred seventy-eight dollars (\$49,787.00); effective January 1, 2018 through December 31, 2018.

And,

WHEREAS, That Resolution Number 17-384 was previously amended by this Board of Supervisors on May 8, 2018 by **Resolution Number 18-225** to reflect a 2018 COLA increase of one thousand eight hundred seventy-seven dollars (\$1,877.00) for a new total contract amount of fifty-one thousand six hundred sixty-four dollars (\$51,664.00); now therefore

BE IT RESOLVED, That **Resolution Number 17-384** as previously amended by **Resolution Number 18-225** be hereby further amended to reflect an increase in state aid of two hundred eighty-five dollars (\$285.00) for a new total contract amount of fifty-one thousand nine hundred forty-nine dollars (\$51,949.00).

All else remains the same.

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

#12

**RESOLUTION NO. 18-363
(September 11, 2018)**

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

RESOLUTION NUMBER 13-263 AMENDED

WHEREAS, Resolution Number 13-263 entitled, “**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN GRANT ACCEPTANCE AWARDS WITH THE NEW YORK STATE DEPARTMENT OF HEALTH, OFFICE OF HEALTH INSURANCE PROGRAMS/BUREAU OF CHILD HEALTH PLUS POLICY AND EXCHANGE CONSUMER ASSISTANCE ON BEHALF OF THE COUNTY HEALTH DEPARTMENT**” was passed by this Board of Supervisors on August 13, 2013 and provides for consumer assistance with the New York State Health Benefit Exchange by providing in person assistors and navigators for Wyoming County in a minimum amount of:

- In a maximum amount of \$28,333.00; effective August 1, 2013 through September 31, 2013
- In a maximum amount of \$170,000.00; effective October 1, 2013 through September 30, 2014
- Renewable at a maximum amount of \$170,000.00 per year through September 30, 2018
 - Maximum award amount of \$878,333.00; effective August 1, 2013 through September 31, 2018

Now therefore,

BE IT RESOLVED, That *Resolution Number 13-263* be hereby amended as follows:

- Extend the contract end date from September 31, 2018 to **April 30, 2019** and increase funding in an amount not to exceed **\$99,166.67**
 - Maximum award amount of **\$977,499.67**; effective August 1, 2013 through April 30, 2019

All else remains the same.

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

#13

**RESOLUTION NO. 18-364
(September 11, 2018)**

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

RESOLUTION NUMBER 17-518 AMENDED

WHEREAS, Resolution Number 17-518 entitled, “**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN NEW YORK STATE DEPARTMENT OF HEALTH IN PERSON ASSISTORS AND NAVIGATOR GRANT SUB-AGREEMENTS WITH WYOMING COUNTY CHAMBER OF COMMERCE AND WYOMING COUNTY COMMUNITY ACTION ON BEHALF OF THE COUNTY HEALTH DEPARTMENT**” was passed by this Board of Supervisors on December 12, 2017 and provides for Sub-Agreements for reimbursement of Navigator Grant activities, as required by the New York State Department of Health Work Plan; effective October 1, 2017 through September 30, 2018 as follows:

- *Wyoming County Chamber of Commerce*, 36 Center Street, Suite A, Warsaw, NY 14569 in an amount not to exceed \$10,000.00 annually; renewable through September 30, 2018
- *Wyoming County Community Action*, 6470 Route 20A, Suite 1, Perry, NY 14530 in an amount not to exceed \$49,382.00 annually; renewable through September 30, 2018

Now therefore,

BE IT RESOLVED, That *Resolution Number 17-518* be hereby amended as follows:

- *Wyoming County Chamber of Commerce*, 36 Center Street, Suite A, Warsaw, NY
 - Extend the contract end date from September 30,2018 through **April 30, 2019** in an amount not to exceed **\$3,000.00** for a new total contract amount of \$13,000.00
- *Wyoming County Community Action*, 6470 Route 20A, Suite 1, Perry, NY
 - Extend the contract end date from September 30,2018 through **April 30, 2019** in an amount not to exceed **\$30,261.00** for a new total contract amount of \$79,643.00

All else remains the same.

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

#14

**RESOLUTION NO. 18-365
(September 11, 2018)**

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

CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A CONTRACT WITH DAVIS ULMER ON BEHALF OF THE COUNTY HEALTH DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are

hereby authorized and directed to sign a contract with **Davis Ulmer**, 300 Metro Park, Rochester, NY 14623 on behalf of the County Health Department.

Said contract is to complete installation of the fire alarm system at the Health Department to meet New York State Department of Health Article 28 standards as follows:

- Additional installation of required equipment in an amount not to exceed seven thousand five hundred sixty-five dollars (\$7,565.00); effective upon signing through completion of project.
- Annual inspections and system monitoring in an amount not to exceed two thousand eight hundred sixty-four dollars (\$2,864.00); effective February 1, 2019 through January 31, 2021.
- OGS Contract #PT67038

Contingent upon the availability of funds.

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

#15

**RESOLUTION NO. 18-366
(September 11, 2018)**

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

CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE ON BEHALF OF THE COUNTY HEALTH DEPARTMENT

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 Governor's Traffic Safety Committee*, 6 Empire State Plaza, Room 410B, Albany, NY 12228 on behalf of the County Health Department. Said grant to provide funding for the Child Passenger Safety Program in a minimum amount of three thousand dollars (\$3,000.00); effective October 1, 2018 to September 30, 2019.

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

Chairman Berwanger invited Supervisor Ryan, T/Warsaw to the podium for reading of the proclamation. Supervisor Ryan invited Community Services Dir. Dryja and Dir. Aldinger to join her.

Dir. Dryja stated that the coalition is very appreciative of the Board's support and mentioned the flyer at the back of the board packet regarding the 12th Annual Wyoming County Suicide Prevention Awareness Walk taking place tomorrow, September 12th.

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #16 through #19.
Hearing no objection resolution titles were read.

#16

**RESOLUTION NO. 18-367
(September 11, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**2019 MATCHING FUNDS PROGRAM APPROVED ON BEHALF OF THE
WYOMING COUNTY CHAMBER OF COMMERCE**

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby approve taking part in the *2019 Matching Funds Program* for tourist promotional activities; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby designates the Wyoming County Chamber of Commerce as the *official tourist promotion agency* for the County of Wyoming and, as the agency, to apply for and receive matching funds on behalf of the County, under the Matching Funds Program.

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

#17

**RESOLUTION NO. 18-368
(September 11, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH
CIR ELECTRICAL CONSTRUCTION CORP ON BEHALF OF
PLANNING AND DEVELOPMENT**

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 *CIR Electrical Construction Corp.*, 400 Ingram Avenue, Buffalo, NY 14218 on behalf of Planning and Development. Said contract is for the installation of a solar array at the County Highway Department, 4328 Route 19 South, Silver Springs, NY 14550 in an amount not to exceed one hundred fifty thousand dollars (\$150,000.00); effective upon signing through completion of the project.

Contingent upon the availability of funds.

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

#18

**RESOLUTION NO. 18-369
(September 11, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

MEMBERS APPOINTED/REAPPOINTED TO THE WYOMING COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

BE IT RESOLVED, That *Mark Dadd*, 166 Main Street, Attica, NY 14011 be hereby reappointed as a Member of the Industrial Development Agency Board of Directors for a term of three (3) years; effective April 12, 2018 through April 11, 2021; and be it

FURTHER RESOLVED, That *James Hardie*, 1060 Alleghany Road, Attica, NY 14011 be hereby reappointed as a Member of the Industrial Development Agency Board of Directors for a term of three (3) years; effective June 14, 2018 through June 13, 2021 .

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

#19

**RESOLUTION NO. 18-370
(September 11, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION TO AMEND SUBRECIPIENT AGREEMENTS WITH THE WYOMING COUNTY BUSINESS ASSISTANCE CORPORATION

WHEREAS, Wyoming County (the “County”) was the recipient of multiple New York State administered grants through the Community Development Block Grant (CDBG) Program (the “CDBG Grants”); and

WHEREAS, The County entered into subrecipient agreements (collectively, the “Subrecipient Agreements”) with The Wyoming County Business Assistance Corporation (“WCBAC”) pursuant to which the County provided the proceeds of the CDBG Grants to WCBAC for the purpose of providing assistance to businesses within Wyoming County; and

WHEREAS, Pursuant to the Subrecipient Agreements, any Program Income, as defined in the CDBG regulations (“Program Income”), resulting from the use of the CDBG Grants was to be used by WCBAC to administer a revolving loan fund (“RLF”); and

WHEREAS, WCBAC has continued to administer the RLF and to make loans to support business development and job creation in Wyoming County and the funds held in the RLF and the loans receivable contained in the RLF constitute CDBG assets that are subject to certain rules and regulations promulgated by the United States Department of Housing and Urban Development (hereinafter “HUD”) and the New York State Office of Community Renewal (hereinafter “OCR”) regarding their use; and

WHEREAS, OCR has notified the County and other recipients of CDBG funds that it is requiring that all Program Income not spent on, or committed to, CDBG-eligible activities by March 31, 2019 be paid to the OCR by April 30, 2019, and that any Program Income received by WCBAC after March 31, 2019 must be remitted to OCR and, as a result, revolving loan fund

repayments to WCBAC after such date will no longer be available to make loans in Wyoming County; and

WHEREAS, Any proposed use of Program Income prior to March 31, 2019 must be approved by OCR; and

WHEREAS, The County wishes to:

- (i) Prohibit the making of future CDBG loans from the RLF;
- (ii) Provide for the continued servicing and administration of the RLF by WCBAC;
- (iii) Allow the WCBAC to use RLF Program Income prior to April 1, 2019 to fund or to commit to funding any eligible CDBG economic development activity, subject to OCR approval and the approval of the WCBAC Board of Directors, and to pay CDBG-eligible expenses including grant administration and program delivery costs; and
- (iv) Provide for the return to the County of any Program Income not so used and any repayments on RLF loans received by WCBAC on or after April 1, 2019 that constitute Program Income; and

WHEREAS, The proposed changes to the RLF will require amendments to the Subrecipient Agreements; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors approves the execution and delivery of an amendment to the Subrecipient Agreements to:

- (i) Prohibit the making of future CDBG loans from the RLF;
- (ii) Provide for the continued servicing and administration of the RLF by WCBAC in accordance with CDBG requirements;
- (iii) Allow the WCBAC to use RLF Program Income prior to April 1, 2019 to fund or to commit to funding any eligible CDBG economic development activity, subject to OCR approval and the approval of the WCBAC Board of Directors, and to pay CDBG-eligible expenses including grant administration and program delivery costs;
- (iv) Provide for the return to the County of any cash constituting Program Income held by WCBAC under the Subrecipient Agreements which is not spent on, or committed to, CDBG-eligible activities, including administrative and program delivery costs, by March 31, 2019;
- (v) Provide for the return to the County of any RLF loan repayments received by WCBAC on or after April 1, 2019 that constitute Program Income, (v) provide that any future income generated by outstanding CDBG loans that is not “Program Income” under HUD regulations be deemed unrestricted funds to be retained and used by the WCBAC without restriction; and
- (vi) Make such further amendments as shall be mutually agreed to by the County and WCBAC, such amendment to the Subrecipient Agreements to be subject to the approval of the County Attorney as to form and content.

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

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #20 through #25. Hearing no objection resolution titles were read.

#20

**RESOLUTION NO. 18-371
(September 11, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE
AWARD WITH THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY
COMMITTEE ON BEHALF OF THE SHERIFF'S DEPARTMENT**

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 Governor's Traffic Safety Committee*, 6 Empire State Plaza, Albany, NY 12228 on behalf of the Sheriff's Department. Said grant to provide funding for patrols dedicated to selective traffic enforcement details in a minimum amount of ten thousand five hundred dollars (\$10,500.00) year; effective October 1, 2018 to September 30, 2019.

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

#21

**RESOLUTION NO. 18-372
(September 11, 2018)**

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

WYOMING COUNTY SHERIFF'S WEEK PROCLAIMED

WHEREAS, The Office of Sheriff has been an integral part of the criminal justice system in New York State and in Wyoming County throughout our history, having been established in the State's first constitution in 1777 and having been continued in every succeeding constitution, and having been one of the original constitutional offices of our County since 1841; and

WHEREAS, Despite changes in its function, status and powers during its long history, the Office of Sheriff has maintained a continuous existence, preserved its distinguishing heritage, and continued to be an essential component of our criminal justice community; and

WHEREAS, The Office of Sheriff has evolved into a modern, professional, full-service law enforcement agency, manned by fully trained deputy sheriffs, using state-of-the-art technology and applying the latest and most advanced theories and practices in the criminal justice field; and

WHEREAS, The Office of Sheriff is unique in the community, and the duties of the Office go far beyond the traditional role of "Keeper of the Peace," and extend into many facets of public service, including maintaining the county jail, providing security in our courts, dispatching emergency services, and serving and executing civil process for our courts; and

WHEREAS, As a constitutionally empowered entity directly responsible to the People, the ancient Office of Sheriff remains, even today, responsive and accountable to the public it serves; and

WHEREAS, It is fitting to celebrate the historical contributions of the Office of Sheriff and the significant role that the Sheriffs play in our modern criminal justice system; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim September 16 through September 22, 2018 as **“SHERIFFS WEEK IN WYOMING COUNTY”**

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

#22

**RESOLUTION NO. 18-373
(September 11, 2018)**

By Mr. Copeland, Chairman of the Public Safety Committee:
2019 STOP DWI PLAN APPROVED

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the *2019 Stop DWI Plan* with the *New York State Governors Traffic Safety Committee*, 6 Empire Plaza, Room 414, Albany, NY 12228 on behalf of Wyoming County’s STOP DWI Program. The 2019 STOP DWI Plan Agreement is for continued work addressing the problem of impaired driving in a minimum amount of one hundred forty-seven thousand four hundred seventy-five dollars (\$147,475.00); effective January 1, 2019 through December 31, 2019.

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

#23

**RESOLUTION NO. 18-374
(September 11, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE
AWARD WITH THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY
COMMITTEE ON BEHALF OF STOP DWI**

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 Governor's Traffic Safety Committee*, New York State STOP-DWI Foundation, 6 Empire State Place, Albany, NY 12228 on behalf of STOP DWI. Said funding to provide special crackdown patrols during special holidays and events with high visibility road checks and saturation patrols in a minimum amount of ten thousand eight hundred fifty dollars (\$10,850.00); effective October 1, 2018 to September 30, 2019.

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

#24

**RESOLUTION NO. 18-375
(September 11, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE
AWARD 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 with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the *New York State Division of Homeland Security and Emergency Services*, 1220 Washington Avenue, State Office Building Campus, Building 7A, Suite 710, Albany, NY 12228 on behalf of Wyoming County Emergency Services. Said grant to provide funding to hire a consultant to update and overhaul current comprehensive emergency response plan in a minimum amount of fifty-two thousand four hundred eighty-five dollars (\$52,485.00); effective September 1, 2018 to August 31, 2021.

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

#25

**RESOLUTION NO. 18-376
(September 11, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY
SERVICES OFFICE OF INTEROPERABLE AND EMERGENCY COMMUNICATIONS
ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant acceptance award with the *New York State Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications*, 1220 Washington Avenue, State Office Building Campus, Building 7A, Suite 710, Albany, NY 12228 on behalf of Wyoming County Emergency Services. Said grant to provide funding for 2018-19 Public Safety Answering Points (PSAP) Operation Grant Program in a minimum amount of one hundred forty thousand seventy-one dollars (\$140,071.00); effective January 1, 2019 through December 31, 2019.

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

Chairman Berwanger invited Supervisor Copeland, T/Wethersfield to the podium to present the proclamation. Supervisor Copeland invited Sheriff Rudolph to read the proclamation and requested Sergeant Heim join him.

Sheriff Rudolph expressed his gratitude for this important proclamation. He mentioned that there is a lot going on in the Sheriff's Department these days and recognized Supervisor May, T/Orangeville and Supervisor Copeland, T/Wethersfield for their years spent at the Sheriff's Department.

There was a motion by Mr. Davis, T/Copeland, to combine resolutions #26 through #31. Hearing no objection resolution titles were read.

#26

**RESOLUTION NO. 18-377
(September 11, 2018)**

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

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

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

- ***Penn Properties Solutions, LLC***, 7328 Wertzville Road, Carlisle PA 17015 for the purchase and installation of Polyast flooring at the Wyoming County Animal Shelter in an amount not to exceed forty-five thousand dollars (\$45,000.00); effective August 15, 2018 through completion of project.
- ***Mason Company***, 260 Depot Street, P.O. Box 365, Leesburg, OH 45135 for the purchase of Ultra Base Kennels for the Wyoming County Animal Shelter in an amount not to exceed forty-nine thousand three hundred sixty-seven dollars (\$49,367.00); effective August 17, 2018 through delivery.

- **MJ Mechanical Services, Inc.**, 95 Pirson Parkway, Tonawanda, NY 14150:
 - For the purchase and installation of one (1) Trane 2 ton single zone wall mounted ductless system at the Wyoming County Animal Shelter in an amount not to exceed ten thousand three hundred eighty dollars (\$10,380.00); effective September 5, 2018 through completion of project.
 - For the purchase and installation of two (2) Mitsubishi “M” Series 2.5 ton ductless split units at the Wyoming County Animal Shelter in an amount not to exceed fourteen thousand nine hundred thirteen dollars (\$14,913.00); effective September 5, 2018 through completion of project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: **#27**

**RESOLUTION NO. 18-378
(September 11, 2018)**

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

RESOLUTION NUMBER 18-274 AMENDED

WHEREAS, Resolution Number 18-274 entitled, “**APPROVING SOLE SOURCE PROCUREMENT WITH POLYLAST ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)**” was passed by this Board of Supervisors on July 12, 2018 authorized sole source status for *Polylast*, 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; now therefore

BE IT RESOLVED, That *Resolution Number 18-274* be hereby amended to include *Penn Properties Solutions, LLC*, 7328 Wertzville Road, Carlisle, PA 17013 as a trained installer for Polylast. All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: **#28**

**RESOLUTION NO. 18-379
(September 11, 2018)**

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

RESOLUTION NUMBER 16-356 AMENDED

WHEREAS, Resolution Number 16-356 entitled, “**2016 ~ 2017 SALT AND SAND BIDS APPROVED**,” passed by this Board of Supervisors on September 13, 2016 awarded a bid for the purchase of salt for the *2016~ 2017 Snow Season* to American Rock Salt Co., LLC, P.O.

Box 190, Mt. Morris, NY 14510 in an amount not to exceed forty-eight dollars and fifty cents (\$48.50) per ton; effective September 1, 2016 through May 31, 2017; and

WHEREAS, That Resolution Number 16-356 was previously amended by this Board of Supervisors on June 13, 2017 by **Resolution Number 17-262** to extend the bid pricing of forty-eight dollars and fifty cents (\$48.50) per ton for the 2017~2018 season; effective May 31, 2017 through May 31, 2018 (*first extension of the original contract that provides for two (2) one-year extensions*); now therefore

BE IT RESOLVED, That **Resolution Number 16-356** as previously amended by **Resolution Number 17-262** be hereby further amended to extend the bid pricing of forty-eight dollars and fifty cents (\$48.50) per ton for the 2018~2019 season; effective September 1, 2018 through May 31, 2019 (*second extension of the original contract that provides for two (2) one-year extensions*). All else remains the same.

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

#29

**RESOLUTION NO. 18-380
(September 11, 2018)**

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

ANNUAL HIGHWAY MATERIAL BIDS APPROVED

BE IT RESOLVED, That the attached yearly County Highway material bids are hereby approved effective September 1, 2018 through August 31, 2019, all ties were awarded by lot at the **August 28, 2018** Public Works Committee, and be it

FURTHER RESOLVED, That the County of Wyoming reserves the right to allow all municipalities within the County to purchase any goods or services at the prices stated herein pursuant to section 103 of the General Municipal Law.

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

**WYOMING COUNTY HIGHWAY DEPARTMENT
Silver Springs, New York 14550
ABRASIVE GRIT**

Bids opened: August 21, 2018

Contract period: 9/1/18 – 8/31/19

Price/Ton – F.O.B. Plant

D & H Materials, Inc.
Delevan, NY 14042

Delevan Plant:

4.75

Gernatt Asphalt Products, Inc.
13870 Taylor Hollow Road

Collins, NY 14034
 Phone: 716-532-3371

Chaffee Plant: 4.45
 Freedom Plant: 5.20

M & M Aggregates
 6128 Sheppard Road
 Bliss, NY 14024

Sheppard Road Plant: 6.00

Todd Gadd
County Superintendent of Highways

WYOMING COUNTY HIGHWAY DEPARTMENT
 Silver Springs, New York 14550
ABRASIVE GRIT

Bids opened: August 21, 2018

Contract period: 09/01/18 – 08/31/19

<u>Town</u>	<u>Price/Ton @ Town</u>	<u>Supplier</u>
Arcade	8.00	Gernatt Asphalt Products
Attica	11.30	Gernatt Asphalt Products
Bennington	9.45	Gernatt Asphalt Products
Castile	9.75	Gernatt Asphalt Products
Covington	11.80	M & M Aggregates
Eagle	9.00	D & H Materials, Inc.
Gainesville	10.10	Gernatt Asphalt Products
Genesee Fall	10.45	D & H Materials, Inc.
Java	9.40	D & H Materials, Inc.
Middlebury	11.50	M & M Aggregates
Orangeville	10.05	Gernatt Asphalt Products
Perry	11.20	Gernatt Asphalt Products
Pike	9.10	Gernatt Asphalt Products
Sheldon	9.85	D & H Materials, Inc.
Warsaw	10.15	Gernatt Asphalt Products
Wethersfield	9.95	Gernatt Asphalt Products

All materials for use in State/County stockpile will be delivered as shown. Ties were allotted by lot.

Todd Gadd
County Superintendent of Highways

ABRASIVE GRIT
Lowest to Highest Bidders
2018 - 2019 SEASON

Arcade	1. Gernatt Asphalt	8.00
	2. D & H Materials, Inc.	8.00
	3. M & M Aggregates	10.90
Attica	1. Gernatt Asphalt	11.30
	2. D & H Materials, Inc.	11.45

Bennington	3. M & M Aggregates	11.70
	1. Gernatt Asphalt	9.45
	2. D & H Materials, Inc.	10.95
Castile	3. M & M Aggregates	11.70
	1. Gernatt Asphalt	9.75
	2. D & H Materials, Inc.	10.65
Covington	3. M & M Aggregates	10.80
	1. M & M Aggregates	11.80
	2. Gernatt Asphalt	12.20
Eagle	5. D & H Materials, Inc.	12.75
	1. D & H Materials, Inc.	9.00
	2. Gernatt Asphalt	9.00
Gainesville	3. M & M Aggregates	10.00
	1. Gernatt Asphalt	10.10
	2. D & H Materials, Inc.	10.35
Genesee Falls	3. M & M Aggregates	10.60
	1. D & H Materials, Inc.	10.45
	2. Gernatt Asphalt	10.70
Java	3. M & M Aggregates	12.00
	1. D & H Materials, Inc.	9.40
	2. Gernatt Asphalt	9.80
	3. M & M Aggregates	10.00

ABRASIVE GRIT
Lowest to Highest Bidders
2018-2019 SEASON

Middlebury	1. M & M Aggregates	11.50
	2. Gernatt Asphalt	11.95
	3. D & H Materials, Inc.	12.50
Orangeville	1. Gernatt Asphalt	10.05
	2. D & H Materials, Inc.	10.45
	3. M & M Aggregates	10.70
Perry	1. Gernatt Asphalt	11.20
	2. D & H Materials, Inc.	11.45
	3. M & M Aggregates	11.70
Pike	1. Gernatt Asphalt	9.10
	2. M & M Aggregates	9.40
	3. D & H Materials, Inc.	10.35
Sheldon	1. D & H Materials, Inc.	9.85
	2. Gernatt Asphalt	9.90
	3. M & M Aggregates	10.50
Warsaw	1. Gernatt Asphalt	10.15
	2. M & M Aggregates	10.75
	3. D & H Materials, Inc.	11.15
Wethersfield	1. Gernatt Asphalt	9.95

	2. D & H Materials, Inc.	10.15
	3. M & M Aggregates	10.40
Plant Price	1. Gernatt Asphalt – Rt. 16 Chaffee	4.45
	2. D & H Materials, Inc.	4.75
	3. Gernatt Asphalt – Freedom	5.20
	4. M & M Aggregates	6.00

#30

**RESOLUTION NO. 18-381
(September 11, 2018)**

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

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH VALLEY FAB EQUIPMENT, INC. ON BEHALF OF COUNTY HIGHWAY

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with *Valley Fab Equipment, Inc.*, 9776 Trevett Road, Boston, NY 14025 on behalf of County Highway. Said contract is for a new and unused 10’ steel dump body in an amount not to exceed nine thousand four hundred ten dollars (\$9,410.00); effective September 11, 2018 through delivery. Contingent upon the availability of funds.

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

#31

**RESOLUTION NO. 18-382
(September 11, 2018)**

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

RESOLUTION NUMBER 16-474 AMENDED

WHEREAS, Resolution Number 16-474 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SIMONSON ENTERPRISES ON BEHALF OF COUNTY HIGHWAY**”, was passed by this Board of Supervisors on November 8, 2016 and provides for the removal of deer in an amount not to exceed thirty-seven dollars (\$37.00) per deer as per New York State Contract PA16005 in an *approximate* three (3) year amount of eleven thousand one hundred dollars (\$11,100.00); effective October 1, 2016 through September 30, 2019; now therefore

BE IT RESOLVED, That *Resolution Number 16-474* be hereby amended, in accordance with New York State bid clause for an “*Economic Price Adjustment*” of 1.9% which increases the rate for removal of deer to *thirty-seven dollars and seventy cents (\$37.70)* per deer effective May 15, 2018; and be it

WHEREAS, The Real Property Tax Law requires that all Wyoming County School Districts return their respective unpaid 2018-2019 school taxes to the County Treasurer for inclusion in the following year's town and county levy; and

WHEREAS, The Board of Supervisors entered into an agreement with the various villages within the county that, upon notification to the county, by the villages, within the time period as defined in the agreement, the unpaid mandatory village taxes without the inclusion of non-tax items such as user fees or other charges which are included in relieved tax bills submitted to the County to become part of the next town and county levy; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby authorize all unpaid school taxes and unpaid village taxes be relieved against the various towns in the County of Wyoming immediately upon receipt by the County Treasurer's Office.

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

#34

**RESOLUTION NO. 18-385
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-386 AMENDED

WHEREAS, Resolution Number 15-386 entitled, "**CHAIRMAN, COUNTY TREASURER AND DIRECTOR OF INFORMATION TECHNOLOGY AUTHORIZED TO SIGN A CONTRACT WITH ACS, A XEROX COMPANY, ON BEHALF OF ALL WYOMING COUNTY DEPARTMENTS**", passed by this Board of Supervisors on October 13, 2015 and provides for an *Application Hosting and Technology Support Services* contract with ACS, a Xerox Company, for all Wyoming County Departments effective January 1, 2016 through December 31, 2020; and

WHEREAS, That Resolution Number 15-386 was previously amended by this Board of Supervisors on June 12, 2018 by ***Resolution Number 18-276*** as follows:

- Amend the contracting party from ACS, a XEROX Company to ***Conduent Government Systems, LLC, 12410 Milestone Center Drive, Germantown MD 20874***
- Add ***Microfilm Storage Services*** to the *Application Hosting and Technology Support Services* contract for the Wyoming County Clerk's Office in an amount not to exceed one thousand four hundred dollars (\$1,400.00) per year; effective November 7, 2017 through December 31, 2020 .

Now therefore,

BE IT RESOLVED, That ***Resolution Number 15-386*** as previously amended by

Resolution Number 18-276 be hereby further amended to remove the **NY Property Tax Collection System Services** from the **Application Hosting and Technology Support Services** contract for the Wyoming County Treasurer’s Office; effective January 1, 2019.

All else remains the same.

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

#35

**RESOLUTION NO. 18-386
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-432 AMENDED

WHEREAS, Resolution Number 16-432 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE COUNTY TREASURER,**” passed by this Board of Supervisors on October 11, 2016 and provides various contracts on behalf of the County Treasurer, in part, as follows:

- **D&T Ventures**, PO Box 643, Saint Cloud, MN 56302-0643 for web services relating to the Wyoming County Treasurer’s Tax Collection Software in an amount not to exceed five thousand seven hundred sixty dollars (\$5,760.00); effective January 1, 2017 through December 31, 2017.

And,

WHEREAS, That Resolution Number 16-432 was previously amended by this Board of Supervisors on December 13, 2016 by **Resolution Number 16-531** to correct the effective dates to reflect, “*three years starting on the date of execution of this agreement,*” (October 17, 2016 through October 16, 2019) in an amount not to exceed five thousand seven hundred sixty dollars (\$5,760.00) per year for a total contract cost of seventeen thousand two hundred eighty dollars (\$17,280.00) for three (3) years; now therefore,

BE IT RESOLVED, That **Resolution Number 16-432**, as previously amended by **Resolution Number 16-531** be hereby further amended to terminate the contract with **D&T Ventures** in its entirety; effective January 1, 2019. All else remains the same.

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

#36

**RESOLUTION NO. 18-387
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SYSTEMS EAST, INC.
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 *Systems East, Inc.*, 6 Locust Avenue, Cortland, NY 13045 on behalf of the County Treasurer. Said contract is for web-based tax collection software; effective October 1, 2018 through September 30, 2023 in amounts not to exceed as follows:

- 2019 \$52,650.00
- 2020 \$44,450.00
- 2021 \$44,450.00
- 2022 \$44,450.00
- 2023 \$44,450.00

Contingent upon the availability of funds.

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

#37

**RESOLUTION NO. 18-388
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 18-239 AMENDED

WHEREAS, Resolution Number 18-239 entitled, “**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH CATHEDRAL CORPORATION ON BEHALF OF REAL PROPERTY TAX SERVICES**” was passed by this Board of Supervisors on May 8, 2018 for tax bill development, printing and finishing services in an amount not to exceed eleven thousand five hundred dollars (\$11,500.00); effective May 8, 2018 through January 30, 2019; now therefore

BE IT RESOLVED, That *Resolution Number 18-239* be hereby amended to include the addition of postage applied to tax bills (at cost) and printing of inserts per municipal option at nine cents (\$.09) per page. These added costs are billed back to participating municipalities.

All else remains the same.

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

#38

**RESOLUTION NO. 18-389
(September 11, 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, 2016 and provides for various contracts, in part, as follows:

- **GE Healthcare**, 9900 Innovation Drive, Wauwatosa, WI 53226 for an 84-month service agreement on the **GE GoldSeal Infinia II Gamma Camera** in an amount not to exceed one thousand seven hundred twenty dollars and seventy-five cents (\$1,720.75) per month for eighty-four (84) months for a total amount not to exceed one hundred forty-four thousand five hundred forty-three dollars (\$144,543.00); effective after the original twelve (12) month warranty period expires.

Now therefore,

BE IT RESOLVED, That **Resolution Number 18-092** be hereby amended to change equipment actually covered by the service agreement from a GE GoldSeal Infinia II Gamma Camera to a **Discovery 360 Gamma Camera**.

All else remains the same.

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

#39

**RESOLUTION NO. 18-390
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH EDWARD HULME, 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 **Edward Hulme, Inc.**, 17 East Buffalo Street, Warsaw, NY 14569 on behalf of the Wyoming County Community Health System. Said contract is for the total excavation, mill and fill of “**Area 1**” which is identified as Parking Lot #4 of the Wyoming County Community Health System and the entrance road between Duncan Street and Parking Lot #4 in an amount not to exceed seventy-two thousand eight hundred fourteen dollars and twenty-one cents (\$72,814.21); effective September 12, 2018 through December 31, 2018. Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-391
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULES “C”, “P”, “S” AND “G” AMENDED

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

Salary Schedule “C”:

Wyoming County Community Health System

- Amend the salary of the *Director of Plant Operations* under PLANT MAINTENANCE to \$88,000.00 annually; effective September 4, 2018.
- Abolish one (1) position of *Director of Nurse Education and Infection Control* under INFECTION CONTROL at \$67,670.00 annually; effective August 29, 2018.
- Abolish one (1) position of *Clinic Office Manager* under OB CLINIC at \$45,000.00 annually; effective August 29, 2018.
- Place one (1) position of *Clinic Billing Manager* under CLINIC BILLING and set the salary at \$45,000.00 annually; position available date is August 29, 2018.
- Change category name from CLINICS to CLINIC ADMINISTRATION
- Set the salary of *Director of Reimbursement/Quality and SNF Rehabilitation* under FISCAL SERVICES to \$99,000.00 annually; effective first payroll on or after January 1, 2018.
- Set the salary of *Nursing Facility Administrator* under NURSING FACILITY ADMINISTRATION to \$121,686.00 annually; effective first payroll on or after January 1, 2018.

Salary Schedule “P”:

Wyoming County Community Health System

- Place one (1) position of *Pediatrician Physician* (0.5 FTE) on SALARY SCHEDULE P and set the salary at \$160,000.00 annually; position available date is August 29, 2018.

Salary Schedule “S”:

Mental Health

- Set the salary of ***Fiscal Officer I*** under the office of MENTAL HEALTH to \$40,656.00 annually; effective May 27, 2018.

Public Health

- Set the salary of ***Fiscal Officer (Public Health)*** under the office of PUBLIC HEALTH to \$35,000.00 annually; effective September 11, 2108 with immediate eligibility for any Cost of Living Adjustments (COLA) issued to Salary Schedule “S”.

Human Resource

- Set the salary of ***Human Resource Assistant II*** under the office of HUMAN RESOURCE at \$36,000.00 annually; effective August 6, 2018.

Workers Compensation

- Set the salary of ***Insurance Program Assistant*** under the office of WORKERS COMPENSATION at \$39,500.00 annually; effective September 11, 2018.

Salary Schedule “G”:

District Attorney

- Set the salary of ***Crime Victim Coordinator*** under the office of DISTRICT ATTORNEY to reflect an annual salary of \$52,376.00; effective October 1, 2018.
 - This salary is OVS grant funded out of the 1169 budget line.
- Amend the salary of ***Domestic Violence Coordinator*** under the office of DISTRICT ATTORNEY to reflect two (2) separate stipends as follows:
 - ***Violence Against Women Act (1167)***
 - \$16,135.00 annually; effective January 1, 2019 through December 31, 2019.
 - ***Office of Victim Services Grant***
 - \$18,267.00 annually; effective October 1, 2018 through September 30, 2019.

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

#41

**RESOLUTION NO. 18-392
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-181 AMENDED

WHEREAS, Resolution Number 15-181 entitled, “CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,” passed by this Board of Supervisors on April 14, 2015 and provides for various contracts, in part, as follows:

- ***Strong Memorial Hospital***, A Division of the University of Rochester, an Educational Institution Chartered by the State of New York, on Behalf of UR Medicine Labs of tThe Department of Pathology and Laboratory Medicine, 601 Elmwood Avenue, Rochester, New York, 14642 for services of a Physician to serve as Laboratory Medical Director and provide pathology services at WCCHS in the amount of \$1,750.00 per day, with a minimum of two (2) days per month, additional days as needed, effective from the first day of the month after WCCHS’s current contract has ended based on WCCHS giving appropriate notice to current service provider of termination of contract for three (3) years.

Now therefore,

BE IT RESOLVED, That ***Resolution Number 15-181*** be hereby amended to establish the term of the contract from ***August 15, 2015 through August 14, 2018;*** and be it

FURTHER RESOLVED, That ***Resolution Number 15-181*** be hereby further amended to extend the contract term from August 14, 2018 through ***December 15, 2018.***

All else remains the same.

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

#42

**RESOLUTION NO. 18-393
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-293 AMENDED

WHEREAS, Resolution Number 17-293 entitled, “CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,” passed by this Board of Supervisors on July 11, 2017 and provides for various contracts, in part, as follows:

- ***Oak Openings Medical, PLLC***, (Gregory Collins, DO), 4820 Darby Road, Avon, NY 14414:
 - To provide Medical Review Officer (MRO) Services to Workplace Health Services (WPHS) in an amount not to exceed \$4,500.00 per year; effective July 3, 2017 through July 2, 2018

- To provide Medical Director Services for WPHS on a temporary basis in an amount not to exceed \$6,000.00 per year (prorated for partial year service)

Now therefore,

BE IT RESOLVED, That *Resolution Number 17-293* be hereby amended to extend the contract term from July 2, 2018 through **July 2, 2019**. All else remains the same.

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

#43

**RESOLUTION NO. 18-394
(September 11, 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.

And,

WHEREAS, That *Resolution Number 18-304* was previously amended by this Board of Supervisors on August 14, 2018 by *Resolution Number 18-349* 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.

Now therefore,

BE IT RESOLVED, That *Resolution Number 18-304*, as previously amended by *Resolution Number 18-349* be hereby further amended to extend the contract term of the *Jamestown Psychiatric, PC* from August 31, 2018 through **October 31, 2018**; in an amount not to exceed sixty thousand dollars (\$60,000.00). All else remains the same.

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

#44

**RESOLUTION NO. 18-395
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN AN EMPLOYMENT AGREEMENT – SALARY SCHEDULE P WITH VINCENT C. NEWMAN, DO 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 an Employment Agreement – Salary Schedule P with *Vincent C. Newman, DO.*, 520 Virginia Street, Apartment 28, Buffalo, NY 14202 on behalf of the Wyoming County Community Health System. Said contract to provide family practice services in an amount not to exceed two hundred thirty-three thousand dollars (\$233,000.00) plus a one-time fee of thirty-six thousand dollars (\$36,000.00); effective August 1, 2019 through July 31, 2022 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance.

Contingent upon the availability of funds.

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

#45

**RESOLUTION NO. 18-396
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

POSITION(S) APPROVED

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

CREATED:
Sheriff

- Two (2) positions of *Deputy Sheriff (PT)* on Schedule WCDSA Grade 4 (\$22.18 - \$28.36/hr.); position available date is September 12, 2018.

CREATED:

Buildings and Grounds (Co. Bldgs.)

- One (1) position of *Laborer (Per Diem) (Temp)* with salary to be negotiated upon hire and brought back to Committee for resolution; position available date is immediate and with only those benefits mandated by law.
- One (1) position of *Carpenter (Per Diem) (Temp)* with salary to be negotiated upon hire and brought back to Committee for resolution; position available date is immediate and with only those benefits mandated by law.

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

#46

**RESOLUTION NO. 18-397
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULE “S” HANDBOOK AMENDMENT APPROVED

BE IT RESOLVED, That the Salary Schedule “S” Handbook is hereby amended to include the following language, in **bold**, under **PERSONAL DAYS**; effective September 11, 2018:

PERSONAL DAYS

Employees shall earn four (4) personal days per anniversary year. New employees with less than one (1) year of service shall receive one (1) personal day at the beginning of each three-month period. After the completion of one (1) year of service, employees shall be granted four (4) days per year on their anniversary date.

An employee appointed to a Schedule S position who has continuous prior County employment in a full-time or part-time position shall have his/her date of hire or years of service determined for benefits under Schedule S by using his/her first date of hire or permanent appointment in the County to a full-time or part-time position which is continuous to his/her employment in a Schedule S position.

Unused personal days cannot be carried over into the following anniversary year and will not be paid out upon separation from employment. Unused personal days cannot be carried over after the following year’s anniversary date.

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

#47

RESOLUTION NO. 18-398
(September 11, 2018)

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULE “D” HANDBOOK AMENDMENT APPROVED

BE IT RESOLVED, That the Salary Schedule “D” Handbook is hereby amended to include the following language, in **bold**, under **PERSONAL DAYS**; effective September 11, 2018:

PERSONAL DAYS

Employees shall earn four (4) personal days per anniversary year. New employees with less than one (1) year of service shall receive one (1) personal day at the beginning of each three-month period. After the completion of one (1) year of service, employees shall be granted four (4) days per year on their anniversary date.

Employees appointed to Schedule D with prior County employment in a full-time or part-time position shall have their date of hire or years of service determined for benefits under Schedule D by using their first date of hire in the County to a full-time or part-time position which is continuous with Schedule D appointment.

Unused personal days cannot be carried over into the following anniversary year and will not be paid out upon separation from employment. Unused personal days cannot be carried over after the following year’s anniversary date.

When taking a personal day, notification to the Chairman of the Board of Supervisors must be made as soon as possible.

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

#48

RESOLUTION NO. 18-399
(September 11, 2018)

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULE “C” HANDBOOK APPROVED

BE IT RESOLVED, That Salary Schedule “C” Handbook is hereby approved; effective September 11, 2018 and annexed hereto.

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



SCHEDULE C

WCCHS CONFIDENTIAL MANAGEMENT AND MANAGEMENT SUPPORT

EMPLOYEE HANDBOOK/BENEFITS MANUAL

PURPOSE

The WYOMING COUNTY BOARD OF SUPERVISORS and WCCH BOARD OF MANAGERS value the dedication and service of its WCCH management and management support employees; otherwise, referred to as SCHEDULE C. The provisions contained herein are intended to establish guidelines for the terms and condition of employment for this important segment of Wyoming County's workforce. As such, these guidelines are subject to change by direction of the Board of Supervisors.

GUIDELINES

The term "employee" or Schedule C as used in this manual refers to those employees who occupy positions that are exempt from any County bargaining unit under the Taylor Law. These employees are grouped into one of two categories.

1. **MANAGEMENT:** These employees function in a leadership position, and are directly responsible for seeing that the missions of their departments are met. Department Managers are appointed by the Board of Supervisors/Board of Managers upon the approval and/or recommendation of the Chairman of the Board of Supervisors subject to New York State Law.
2. **MANAGEMENT SUPPORT:** Employees who are appointed by a Department Manager to perform support functions for management positions and/or other assignments of a confidential nature.

Specific benefits or responsibilities that pertain to certain employees or groups of employees have been so noted.

ELIGIBILITY FOR BENEFITS

Part Time (with benefits)

A part time Schedule C employee whose salary is set at **\$12,000** or more per year shall be eligible for health insurance, and a proration of those benefits provided to regular full time Schedule C employees,.

Part Time (without benefits)

A part time Schedule C employee whose salary is set at less than **\$12,000** per year shall be eligible for only to those benefits mandated by law. These employees may participate in the health insurance program at their own expense.

Full Time

Employees shall receive all benefits mandated by law. Additional benefits described in this manual are available to employees in Schedule C unless otherwise stated by resolution, for the position.

An employee appointed to a Schedule C position who has continuous prior County employment in a full-time or part-time position shall have his/her date of hire or years of service determined for benefits under Schedule C by using his/her first date of hire or permanent appointment in the County to a full-time or part-time Schedule C position. In addition, such an employee shall carry over unused sick and vacation accruals earned in such prior County employment. If the amount of sick leave carryover exceeds the maximum for such leave in Schedule C, then the employee

shall not receive any additional sick leave accruals under Schedule C until the accruals fall below the maximum. If the amount of vacation carryover exceeds the maximum for such leave in Schedule C, then the employee shall be paid for the excess at his/her rate of pay in his/her prior position in the first payroll following his/her employment in the Schedule C position.

COVERED EMPLOYEES BY CLASSIFICATION

Title	Status	Civil Service Classification	Category
ADMINISTRATIVE SECRETARY (3)	Full	Competitive	MS
ASSISTANT DIRECTOR OF FINANCE	Full	Competitive	M
ASSISTANT DIRECTOR OF NURSING - SNF	Full	Competitive	M
BIOMEDICAL SUPERVISOR	Full	Competitive	M
CHIEF OPERATING OFFICER	Full	Non-Competitive	M
CLINICAL DOCUMENTATION IMPROVEMENT COORDINATOR	Full	Competitive	MS
CLINIC OFFICE MANAGER (2)	Full	Competitive	MS
DIRECTOR OF HEALTHCARE INFORMATION SYSTEMS	Full	Competitive	M
DIRECTOR OF BEHAVIORAL HEALTH	Full	Competitive	M
DIRECTOR OF EMERGENCY SERVICE	Full	Competitive	M
DIRECTOR OF NURSING/ACUTE	Full	Competitive	M
DIRECTOR OF NURSING - SNF	Full	Competitive	M
DIRECTOR OF PLANT OPERATIONS	Full	Competitive	M
DIRECTOR OF REIMBURSEMENT/QUALITY & SNF REHABILITATION	Full	Competitive	M
DIRECTOR OF THERAPY SERVICES ACUTE & OUTPATIENT	Full	Competitive	M
DIRECTOR OF SURGICAL SERVICES/ MATERNITY & WOMEN'S HEALTH	Full	Competitive	M
DIRECTOR OF UTILIZATION REVIEW/ HEALTH INFORMATION MANAGEMENT	Full	Competitive	M
DIRECTOR OF WPHS, CLINIC QUALITY AND CORPORATE COMPLIANCE	Full	Competitive	M
DIRECTOR OF MED/SURG & ICU	Full	Competitive	M
DIRECTOR OF OUTPATIENT SERVICES	Full	Competitive	M
EXECUTIVE ASSISTANT	Full	Competitive	MS
HEALTHCARE INFORMATION SPECIALIST	Full	Competitive	MS
LABORATORY SERVICES DIRECTOR	Full	Competitive	M
MAINTENANCE SUPERVISOR	Full	Competitive	M
MANAGER OF BUDGET & FINANCIAL ANALYSIS	Full	Competitive	MS
NETWORK ADMIN II (WCCH)	Full	Competitive	MS
NURSING FACILITY ADMINISTRATOR	Full	Competitive	M
OBGYN CLINIC OFFICE MANAGER	Full	Competitive	MS
QUALITY ASSURANCE SPECIALIST/ INFECTION PREVENTION	Full	Competitive	MS
QUALITY & RISK MANAGEMENT COORDINATOR	Full	Competitive	MS
REVENUE CYCLE/BUSINESS OFFICE MANAGER	Full	Competitive	M

TERM: All positions listed above are Continuous Service.

NOTE: Covered employees may be amended at any time will appropriate Management approval.
CATEGORY: M-Management
MS-Management Support

PRE-EMPLOYMENT DRUG TEST AND PHYSICAL

All individuals seeking employment in WCCH's management and management support service must pass a pre-employment physical and a drug/alcohol screening administered by WPHS. No Schedule C employee can be hired unless he/she successfully passes these tests. The Human Resource Department shall arrange these tests.

A prospective employee, with a disability, requiring "reasonable accommodation" shall be reviewed by the Human Resource Director.

The cost of these tests shall be borne by the County.

COMPENSATION

All appointments to Schedule C employment will be reviewed by the WCCH Compensation Committee annually. The determination to start a new employee above the current salary for the position must be recommended by the appointing authority and approved by the Board of Managers and the Board of Supervisors.

PROBATIONARY PERIOD

Employees are subject to a probationary period of six (6) months (**This can be up to one year according to Civil Service Rules**). At the end of the probationary period, the employee's performance and suitability for advancement to regular status shall be evaluated by his/her Senior Manager and/or the applicable department manager.

HOURS OF WORK

Schedule C employees are responsible for performing the duties of their office. The workday is determined by the tasks to be performed. The workweek for a full-time position shall be a minimum of 40 hours.

OVERTIME PAY and COMPENSATORY TIME

Schedule C Management (M) personnel shall not be entitled to receive overtime or compensatory time off

VACATION LEAVE

All full-time Schedule C employees shall accrue annual vacation leave biweekly based on 24 days per calendar year following their appointment. After having completed ten (10) years of employment, a maximum and total of twenty-five (25) days is granted.

Part-time employees accrue annual leave on a pro-rated basis.

Vacation day requests for all Schedule C employees, except the CEO or Designee, must be approved by the Sr. Manager, CEO or Designee (whichever is the immediate supervisor). The CEO or Designee vacation requests must be approved by the President of the Hospital Board of

Managers. Employees shall be allowed to accrue a maximum of 60 days.

Department Managers will make every effort to insure that the work of the department is responsibly attended during their absence and to supply contact information to their immediate supervisor during leave.

Any employee who is laid off, retires, or resigns; shall receive payment for earned annual vacation leave if the employee gives 20 working days' notice to the Senior Manager or CEO or Designee. All annual leave shall be paid at the employee's current rate at separation.

Schedule C employees who have accrued at least 90% of the maximum allowed, shall be permitted to receive vacation pay without taking vacation for which they are eligible up to a maximum of 5 days in any fiscal year. Schedule C employees must submit the request to tender benefit time to their Senior Manager; Senior Managers must submit the request to tender benefit time to the CEO or Designee; CEO must submit the request to tender benefit time to the President of the Board of Managers. The required amount of accrued hours for a 40 hour/week employee is 432 hours. Upon approval the Senior Manager or CEO will submit the request to payroll.

AT NO TIME shall any employee receive more than 60 days of vacation leave pay at separation of employment with Wyoming County.

LONGEVITY PAY

Employees must work in a benefitted position for 10 continuous years. The following will be paid out at the stated years of service each year until the next level is reached. Part time employees receive a pro-rated amount based on their FTE. Longevity pay will be divided amongst each paycheck over the entire calendar year.

Consecutive years of service	Per Annum Effective 01/01/18 (paid in normal paycheck)	Per Annum Effective 01/01/20 (paid in normal paycheck)
10 years	\$370	\$420
15 years	\$460	\$510
20 years	\$580	\$630
25 years	\$640	\$690
30 years	\$820	\$870

Said increment shall be awarded to qualified employees commencing with the first pay period following qualification, said payment in the 1st year of qualification to be pro-rated over the remaining pay periods in the calendar year to constitute the full amount of the increment. In subsequent years of qualification, the increment shall be pro-rated over the entire calendar year. Consecutive service shall mean continuous and uninterrupted employment for the County of Wyoming, except that no person shall be disqualified by absences which were bona fide sick leave, military leave, sabbatical leave, or leave of absence granted by the CEO or Designee or his designated representative. In addition, a pro-rata increment pay shall be awarded to all part-time employees who have so continuously worked 20 or more hours a week for the necessary period of time. An employee shall be qualified for the increment herein granted in the calendar

year in which his employment reached the necessary span of years to qualify.

JURY DUTY

Upon presenting proof of the necessity for the employee to serve jury duty, or to attend court for other than personal matters, a leave of absence with pay shall be granted to all employees by the Department Manager or CEO or Designee.

Any juror pay received by the employee, with the exception of mileage payment, shall be turned over to the WCCH Business Office.

HOLIDAYS

The following ten (10) paid holidays per year: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Christmas Day and one (1) Floating Holiday. Any such holidays falling on a Sunday shall be observed on the following Monday. Any such holidays falling on a Saturday, shall be observed on the preceding Friday. A Holiday must be taken on the day it is recognized and be paid in the pay-period it falls. Holidays cannot be accrued and will not be paid out upon separation of employment.

PERSONAL DAYS

Full-time Schedule C employees shall earn four (4) personal leave days per year. All new employees with less than a year of service shall receive one (1) day personal leave the beginning of each three month period. After the completion of one (1) year of service, employees shall be granted four (4) days per year on their anniversary date.

Unused personal days cannot be carried over into the following anniversary year.

In no case, shall unused personal leave be exchanged for cash upon the separation from County Service.

SICK LEAVE

Sick leave shall be defined as absence for reasons of illness/injury, or dental/medical appointment for the employee.

All Schedule C employees shall accrue annual sick leave biweekly based on 12 days per calendar year following their appointment, to a total of two hundred ten (210) days. Part-time sick leave shall be on a pro-rated basis.

Any employee requesting sick leave during three (3) or more consecutive days shall be required to supply a letter from a physician licensed under Article 131 of the Education Law. Where an employee is entitled to compensation insurance for any period, such employee may elect to take a portion of his sick leave to make a full normal pay.

Other than cases of emergency, medical or dental appointment, sick leave shall be granted by prior arrangement with the CEO, Designee or Sr. Manager.

Accrued sick time credit can be applied to an employee's service credit at retirement under the

provisions of Section 41J of the Retirement Law.

Upon retirement, an employee who has accrued at least thirty (30) sick days shall be allowed paid health insurance on a day for day basis not to exceed two hundred ten (210) days up to seven (7) months.

In the event a full time Schedule C employee passes away while actively employed by Wyoming County, their accrued and available sick time will be paid out to their estate.

BEREAVEMENT LEAVE

When a death occurs in the employee's family, they will be entitled to time off with pay in accordance with the following schedule:

5 WORK DAYS	3 WORK DAYS	1 WORK DAY
Parent/Step Parent	Brother/Sister	Brother/Sister-in-law
Spouse/Domestic Partner	Grandparent	Aunt/Uncle
Child/Stepchild	Grandchild	
Foster Child/Guard	Son/daughter-in-law	
Related member of the employee's household	Parent-in-law	

Time off must be taken in consecutive workdays starting with the first day following the death. Such leave shall be deducted from the employee's accumulated sick, vacation, or personal days. If such accumulations are not available to the employee, bereavement leave shall be granted without pay.

LEAVE OF ABSENCE

A leave of absence without pay, not to exceed one (1) year, may be granted to full-time Schedule C employees under the following conditions:

A written request for a leave of absence must be submitted to the Senior Manager at least four (4) weeks prior to the requested date of leave stating the reason for the leave and the anticipated duration of the leave.

The Senior Manager shall review such request and pass on his/her recommendation for approval or disapproval to the CEO and Human Resource Director. Once approved by the CEO and Human Resource Director the recommendation for approval shall be brought to the Board of Managers for final approval or disapproval.

A leave of absence shall not be granted to explore other employment opportunities.

No less than thirty (30) days prior to the expiration of an employee's leave, the employee shall be required to submit written notification to the Senior Manager of their intention to return to work.

An employee on a leave of absence may be allowed to reduce the period of leave without pay by the use of any accumulated personal leave or vacation leave. Additionally, in case of leave due to illness or injury of the employee, the employee may be allowed to use accumulated sick leave to reduce the period of unpaid leave during any days when the employee is ill or injured.

While on an unpaid leave of absence, he/she shall not accrue benefits. An employee may, however, at his/her expense, continue coverage in the group health insurance program provided to all county employees. If unpaid leave qualifies under the Family Medical Leave Act, the employee's health insurance will be paid at the same level as before such leave commenced for up to 12 weeks as prescribed by the Act.

An employee who returns from a leave of absence and has complied with this policy shall be returned to his former title unless there has been a layoff or elimination of the employee's position.

The county complies with state and federal laws relative to military leave rights.

HEALTH INSURANCE

Full and part time employees with a salary of \$12,000 annually or greater are eligible to participate in the County's current 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.

The employer will pay 100% of the cost of single or family health insurance coverage for employees hired or appointed prior to 9/1/2018. Employees hired or appointed on or after 9/1/2018 will contribute 10% of the total premium. Premiums will be deducted over 24 pay periods per year on a pre-tax basis.

BUY-OUT MEDICAL COVERAGE

An employee who is eligible for health insurance and does not participate is eligible for a buyout payment. Buy out amounts are \$750 for Single coverage and \$1,000 for Family coverage. Proof of other insurance is required. The buy-out period is February 1 to January 31. Buy-out will be paid in the first paycheck of February following the date of hire.

DENTAL INSURANCE

All employees who elect to join shall contribute 100% towards the cost of dental insurance.

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 sick time must be exhausted prior to receiving benefits under this plan. After sick is exhausted the employee may elect to use vacation, personal leave time or comp time to supplement the plan and to provide the employee within 2% of a full week's wage. 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 NYS statutory disability benefits. The Wyoming County Disability Benefits

Program is available to Schedule C personnel to provide a weekly cash payment up to 52 weeks if an employee should be unable to work as a result of injuries or illness which DID NOT arise out of or in the course of employment.

Disability insurance coverage is provided to all full-time Schedule C employees at no cost to them.

WORKERS' COMPENSATION

All employees who suffer an injury or illness related to their employment shall be eligible for Workers' Compensation Insurance. Employees who suffer an injury or illness must immediately notify their supervisor, and assist such supervisor in the completion of all the necessary forms.

The Department Manager or Designee shall be responsible for completing and submitting all forms to the Insurance/Workers' Compensation Office.

DEFERRED COMPENSATION

All employees are eligible to voluntarily participate in the County sponsored 457 B Deferred Compensation Program. This program allows employees to save a portion of their gross pay before taxes. Information concerning the particulars of this program can be obtained from the Human Resource Department.

RETIREMENT

All full time county employees must join the New York State Employees' Retirement System. Any employee who works part-time (less than 30 hours per week) or on a temporary basis has the option of joining the retirement system.

Detailed information on the retirement system including enrollment is available from the Human Resource Department.

PERFORMANCE EVALUATION

All Schedule C employees will be evaluated on a yearly basis by their respective supervisor or designee. Senior Managers will be evaluated by the CEO and Managers will be evaluated by their Senior Manager.

SECONDARY EMPLOYMENT

The employees covered by this manual understand and agree that their employment with the County is of basic and primary importance, and that secondary employment must not inhibit or impede the effective performance of their County responsibilities, or attendance; nor shall it impair their judgment in the exercise of their official duties. Any secondary employment must be in adherence to the Wyoming County Code of Ethics.

PAY DAY

Schedule C employees will be paid on a biweekly basis. Such pay shall be in the form of a payroll check or through direct deposit with local banks.

TUITION REIMBURSEMENT

Refer to the WCCHS Policy dated March 22, 2016.

TIME OFF REQUESTS

Employees requesting time off must enter their request directly in the automated payroll system for supervisory approval.

ON CALL PAY

Certain select schedule C employees at the discretion of Management who are required by the Hospital to be on – call based on their job duties shall receive an additional \$1.50 per hour for each hour that the employee is on – call status on Monday through Friday and \$1.80 per hour for each hour that the employee is on – call status on Saturday and Sunday and on Holidays as defined herein.

CALL IN PAY

Certain select schedule C employees at the discretion of Management who are called into work by the Hospital shall be paid for a minimum of four (4) hours at their applicable rate, in addition to the on call pay as defined herein.

ON CALL PAY

(WCCHS Information Technology ONLY)

WCCHS Information Technology employees in schedule “C” are not eligible for on-call pay.

CALL IN PAY

(WCCHS Information Technology ONLY)

WCCHS Information Technology employees who are called into work by the hospital shall be eligible to receive call in pay in accordance with this schedule:

On Weekends and Holidays:

WCCHS Information Technology employees scheduled on call shall receive a \$100.00 call in pay allowance per day between Fridays at 5:00 PM through Saturdays at 11:59 PM.

WCCHS Information Technology employees scheduled on call shall receive a \$100.00 call in pay allowance per shift day between Sundays at 12:01 AM and Mondays at 7:00 AM.

WCCHS Information Technology employees scheduled on call shall receive a \$100.00 call in pay allowance per day on a Holiday

On Weekdays:

WCCHS Information Technology employees scheduled on call shall receive a \$50.00 call in pay allowance per shift each weekday shift beginning at 5:00 PM Monday through 7:00 AM on Friday.

AMENDMENT AND CLARIFICATION

Despite the County's best effort to clarify the guidelines for benefits and conditions of employment governing Schedule C employees, it is understood that questions will arise concerning interpretation of the Schedule C Employee Handbook/Benefits Manual and refinements may need to be made from time to time.

As changes or interpretations are made to this manual of guidelines by the Human Resource

Committee they will be registered as an addendum and forwarded to the WCCH Board of Managers and to each Senior Manager for distribution to all Schedule C employees.

SEVERABILITY AND AMENDMENT

This handbook and its component provisions are subordinate to any present or future Federal or New York law/regulation or Resolutions of the Board of Supervisors. If any Federal or New York law or regulation or the final decision of any Federal or New York Court or administrative agency affects any provision of this handbook, each provision will be amended to the extent necessary to comply with such law, regulation or decision, but otherwise this handbook will not be affected.

DISCLAIMER

The Schedule C handbook contains general summaries and information regarding benefits for employees covered by Schedule C. Some of the items described in this booklet are covered in detail by County policy and/or procedure documents. You should refer to these documents for specific information, since this booklet only briefly summarizes those benefits. Please also note that a full description of insurance and deferred compensation benefits offered by the County are set forth in written plan documents, which are controlling in the event of any inconsistency with what is contained in this booklet.

Nothing in this booklet creates any contractual rights to the benefits described herein, or creates any contractual rights to employment. In that regard, the Board of Supervisors reserves the right to eliminate, modify or deviate from the provisions of this booklet in its sole discretion. Every attempt will be made to inform you of any changes when they occur. If you have questions about the information in this booklet, please contact the Human Resource Department.

READING/UNDERSTANDING THE HANDBOOK

Each Schedule C employee of the Wyoming County Healthcare System shall be given a copy of this Handbook/Benefits Manual and be required to read and acknowledge on the attached "Acknowledgment Statement."



ACKNOWLEDGMENT STATEMENT

Employee Statement: I, acknowledge that I have been given, and have read the Wyoming County Community Health System's Schedule C Employee Handbook/Benefits Manual.

SIGNATURE

DATE

Chairman Berwanger asked Clerk Ketchum if there were any written requests to speak at today's public hearing. Clerk Ketchum advised there were none...

PUBLIC HEARING ~

- *Comment Period*

CLOSE PUBLIC HEARING ~

- *Motion to close the Public Hearing was made by Supervisor May, T/Orangeville. Seconded by Supervisor Hastings, T/Eagle. Carried.*

**Local Law
#49**

RESOLUTION NO. 18-400 (September 11, 2018)

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

**LOCAL LAW NO. 4 (INTRODUCTORY 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”
ADOPTED**

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 14th day of August, 2018, a proposed local law of the County, designated as Local Law Introductory No. D, for the year 2018, entitled, “*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*”; and

WHEREAS, In accordance with the provisions of Resolution No. 18-319, there was a public hearing held by this Board of Supervisors on this 11th day of September, 2018, at 2:30 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, After holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore,

BE IT ENACTED, That Local Law 4, Year 2018, County of Wyoming, New York, as presented to this Board on the 14th day of August 2018, is hereby adopted in its original form as follows:

**LOCAL LAW NO. 4, 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.

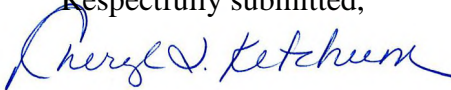
DATED at Warsaw, New York
August 14, 2018 (Introduced)
September 11, 2018 (Adopted)
Cheryl J. Ketchum,^{CMC}
Clerk to the Board of Supervisors

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

Before adjourning the meeting, Chairman Berwanger made note of a housekeeping item... WC Admin. Perkins advised that the Triad Group was unavailable today to make their presentation to the Board of Supervisors. There may be an opportunity for a teleconference at a later date and Board Clerk Ketchum will follow up.

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:09 PM with a rap on his desk.

Respectfully submitted,



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

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08/20184

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