REGULAR SESSION
(April 11, 2023)

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 except Supervisor Davis, T/Covington and Supervisor Brick, T/Perry. Also present were County Attorney Jennifer Wilkinson, Budget Officer Cook, Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez. The board meeting was open to the public.

CALL TO ORDER ~

At 2:35 PM Chairwoman Ryan, T/Warsaw, called the meeting to order.

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

Sergeant Michael Lococo

Sergeant Lococo was born in Buffalo and he grew up on the East and West sides of town and attended South Park High School. During this time he learned the great craft of pizza making by working at one of the best pizzerias in the world, also owned by a relative, La Nova Pizzeria in the city. During this time, Sergeant Lococo wanted to do more with his life so naturally he joined the Marines, specifically the Marine Reserves. He completed boot camp at Parris Island, South Carolina and M.O.S. training at Camp Geiger, North Carolina where he trained as a Diesel Mechanic.

Sergeant Lococo was assigned to Truck Company, HQ Battalion, 4th Marine Division in Erie, PA. Not long after this his unit was activated and in January 2004 they were sent to Kuwait before making their way down range in Iraq. His unit arrived at Al Taqaddum Air Base on St. Valentine's Day where he was personally welcomed by Insurgents with an incoming mortar attack. During this tour he also spent time at Abu Ghraib Prison. In October 2004, he and his unit redeployed back to the states. In August 2007, Sergeant Lococo's unit was again ordered to Iraq and they spent time at COP Hit, Camp Fallujah, COP Baghdadi and Al Taqaddum Air Base before redeploying in March 2008. During both of his deployments, the company was attached to an infantry unit so in addition to working on vehicles he would frequently leave the wire to go on various patrols.

Sergeant Lococo's unit once became engaged in a large fight with members of the Army's 101st Airborne Division. It was about 2 am and when there are lulls in the fighting it is very, very

boring over there so both sides scooped up their collection of Chem Lights (military for glow sticks), cut them open and sprayed each other with the insides of those chem lights. The Chief Warrant Officer who caught them was not too happy to see a bunch of Marines, Soldiers, a building and the sand, all-glowing in various colors.

Sergeant Lococo successfully finished his time in the Reserves with an honorable discharged in 2010. For his valor and courageous service to our country, Sergeant Lococo was awarded:

- Navy and Marine Corps Achievement Medal
- Combat Action Ribbon
- Selected Marine Corps Reserve (2 times)
- Armed Forces Reserve Medal (2 times)
- Sea Service Deployment Ribbon (2 times)
- Iraq Campaign Medal
- Global War on Terrorism Service Medal
- Global War on Terrorism Expeditionary Medal
- National Defense Service Medal
- Letter of Appreciation
- Certificate of Commendation (Individual Award- 2 times)
- Meritorious Mast

Around the same time that Sergeant Lococo was discharged from the military, the Arcade Police Department hired him where he serves to this day as a Patrolman. He has a 22-year-old daughter, Ava and is married to his wife, Krista. His favorite hobbies include camping, hunting, cooking fine Italian meals and even though he recently tore his ACL skiing, that is still a preferred hobby.

Sergeant Lococo, on two separate occasions, went to an active combat zone to help keep us free and has been protecting the fine citizens of Arcade these past 13 years. We are fortunate to have such a man amongst us here in Wyoming County.

The pledge was said by all.

Chairwoman Ryan, T/Warsaw asked Supervisor Berwanger, T/Arcade to join Sergeant Lococo at the podium for the presentation of the customary certificate of appreciation. Sergeant Lococo was offered a chance to address the board at which time he thanked the board for this opportunity and for recognizing the County's service members this way.

OPENING PRAYER ~

- *Rev. Mack Bixby*

COMMUNICATIONS ~

- *Correspondences from Senator Borrello acknowledging receipt of several resolutions passed by the Board of Supervisors on March 14, 2023*

#1

RESOLUTION NO. 23-188
(April 11, 2023)

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2023 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2023 accounts as follows:

Information Technology			
From: 011681.540301 Professional Svcs **To:** 011680.540401 Training/Conference **Reason:** To transfer funds originally budgeted for Security Hardware to Training/Conferences for a Verkada Conference in Texas.	$1,600.00	$1,600.00	
Information Technology Total			**$1,600.00**
9-1-1			
From: 013020.520002 IT/Communication **To:** 013020.540011 Radio Maintenance **Reason:** To cover purchase of portable radio batteries ordered in 2022 that are backordered until May.	$25,696.80	$25,696.80	
9-1-1 Total			**$25,696.80**

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#2

RESOLUTION NO. 23-189
(April 11, 2023)

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2023 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2023 accounts as follows:

County Insurance			
To: 051710.540107 Liability Insurance ***w/any funds available*** **Reason:** To pay for additional premium on Excess Workers' Compensation Insurance.	$30,603.00	$30,603.00	
County Insurance Total			**$30,603.00**
Youth Bureau			
To: 017310.542435.SPORT Youth Sports Grant **w**/01731004.438200 Youth Programs **Reason:** Grant came in higher than at the time 2023 Budget was done. Funds will be used for a Youth Sports program to be provided by the Warsaw YMCA per Res. #22-643	$5,000.00	$5,000.00	

To: 017310.542437 Safe Harbour **w**/01731000.412890 Other Dept Income **Reason:** Grant came in higher than at the time 2023 budget was done.	$3,080.00	 $3,080.00	
Youth Bureau Total			**$8,080.00**
Mental Health			
To: 014310.542441 Misc Mental Health Programs **w**/01431003.434900 Mental Health-St Aid **Reason:** One-time state aid funding for school satellite clinics.	$25,968.00	 $25,968.00	
To: 014326.540409 Other Employee Expense 014326.542306 Miscellaneous Other **w**/01432601.434900 Mental Health: Dwyer Wyoming **Reason:** Veteran's Dwyer Peer Program State Aid 2022/2023.	$2,000.00 78,729.00	 $80,729.00	
Mental Health Total			**$106,697.00**
Sheriff			
To: 013110.540509 Change Over Expenses ***w/any funds available*** **Reason:** To carry over unused funds from the 2022 budget to cover change over expenses on four remaining vehicles.	$17,312.25	 $17,312.25	
Sheriff Total			**$17,312.25**
Jail			
To: 013150.520002 IT/Communication **w**/01315006.440890 Federal Aid Other ***w/any funds available*** **Reason:** To carry over unused funds from the 2022 budget for the Livescan Install/Upgrade that was not completed due to equipment delays.	$21,347.00	 $10,000.00 11,347.00	
Jail Total			**$21,347.00**
Jail Kitchen			
To: 013152.540923 Dietitian Services ***w/any funds available*** **Reason:** To pay for registered dietitian services as required by the NYS Commission of Corrections.	$600.00	 $600.00	
Jail Kitchen Total			**$600.00**
Emergency Services			
To: 013640.540301 Professional Svc. Contracts 013640.542306 Misc. Other **w**/01364007.430890 DTP State Aid – Domestic Terrorism **Reason:** To cover additional professional services and meeting expense related to the Domestic Terrorism Prevention.	$123,265.19 55.00	 $123,320.19	
Emergency Services Total			**$123,320.19**
District Attorney			
To: 011161.510202 Temporary ***w/any funds available*** **Reason:** To pay for summer intern out of traffic diversion (1161).	$3,000.00	 $3,000.00	
District Attorney Total			**$3,000.00**

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

*Mr. Jacoby, T/Wethersfield, Chair of the Audit Committee, presented the approved payment of bills totaling **$10,627,370.86** for the month of **March 2023.** No further action is required.*

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

#3

RESOLUTION NO. 23-190
(April 11, 2023)

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

RESOLUTION CALLING ON THE STATE TO PROVIDE FUNDING TO COUNTIES AND COUNTY BOARDS OF ELECTIONS FOR THE COSTS ASSOCIATED WITH LEGISLATIVE PROPOSALS TO HIRE ADDITIONAL ELECTION STAFF AND TO PROVIDE MORE FLEXIBILITY WITH EARLY VOTING SITES

WHEREAS, County boards of elections are responsible for managing election operations and paying for all or most of the costs of these operations; and

WHEREAS, Election reforms in recent years have helped to strengthen our democracy, by expanding access to voting through early voting, no excuse mail in ballots and other reforms; and

WHEREAS, The New York State Senate this year has passed a package of new election reform measures that include establishing portable early voting polling locations, creating absentee ballot drop-off locations, regulating a statewide voter database, and establishing new hiring and training requirements for county boards of elections; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls on the State to provide financial support to counties and county boards of elections necessary to comply with any and all new statewide election management requirements; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors also applauds the state for granting county boards of elections with more flexibility when siting and operating early voting polling sites to make the process more convenient and efficient without curbing access to voting; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#4

RESOLUTION NO. 23-191

(April 11, 2023)

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

RESOLUTION APPLAUDING GOVERNOR HOCHUL FOR INCREASING THE SHARE OF REVENUE COUNTIES RETAIN FOR PROVIDING STATE DMV SERVICES

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

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

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

WHEREAS, In recent years, increasingly, DMV fee transaction work has been moved online and for transactions of this type counties receive little to no funding; and

WHEREAS, The move to online transactions has not decreased the county DMV workload as the transactions selected for this are quick processing in nature, leaving the more difficult and often no fee workload to the county; and

WHEREAS, This dichotomy of the State taking easier fee transactions online, while not sharing any of this with the county, has created an unnecessary and confusing campaign by which counties ask residents to consider going to the local DMV counter to ensure local spending stays local; and

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

WHEREAS, Increasing the county DMV revenue over the counter or internet-based sharing rate from the State DMV will not result in any increased costs or fees to residents or taxpayers and will provide counties with revenue to support necessary local government services; and

WHEREAS, For these reasons, the Wyoming County Board of Supervisors has made increasing county DMV fees a long-standing public policy request to the Governor and State Legislature; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors applauds

Governor Kathy Hochul for proposing to increase the retention rate for county clerk offices that perform DMV transactions, from the current 12.7 percent for in-office transactions and 3.25 percent for online transactions, to a flat 10.75 percent for all transactions; and be it

FURTHER RESOLVED, As more transactions are shifting online, the proposed rate change is projected to increase revenue that is retained by counties by $13 million annually; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors encourages all members of the State Legislature to support this proposal throughout state budget negotiations so that it is contained in the final SFY 2024 State Budget; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#5

RESOLUTION NO. 23-192
(April 11, 2023)

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

CALLING ON THE STATE OF NEW YORK TO FULLY FUND COUNTY LAW 18B ASSIGNED COUNSEL STATUTORY PAY LEVELS

WHEREAS, The United States Constitution established, and the Supreme Court decision Gideon v. Wainwright clarified, that competent counsel is to be given to all accused of a crime, regardless of their ability to pay; and

WHEREAS, New York State took legislative action to establish a criminal indigent defense legal system that passed the responsibility of providing these criminal defense services, and many of the costs associated with them, to counties and local property taxpayers; and

WHEREAS, In 2007, the New York State Civil Liberties Union sued the State of New York in Hurrell-Harring v. State of New York, which showed indigent criminal defense services were underfunded by the State and failed to meet constitutionally required standards; and

WHEREAS, Prior to Hurrell-Harring, the 57 New York counties spent $164 million annually on public defense while the State provided the 57 counties with only $39 million in indigent defense support; and

WHEREAS, The New York State Legislature recognized that the State needs to provide additional funding and, in 2017, passed historic legislation allocating $250 million per year, when fully implemented, of state funding to directly improve indigent defense services; and

WHEREAS, While counties are still funding the same amount, the State's 2017 funding increase has made New York State a leader in indigent defense services; and

WHEREAS, Due to different county demographics and needs, counties have flexibility in how to provide criminal defense by using a combination of public defenders, conflict defense offices, and private contracted attorneys known as 18B counsel (named after the applicable section of County Law); and

WHEREAS, All counties rely on the services of 18B attorneys to perform these services to handle the overflow of work and handle conflicts that come into the public defender's office; and

WHEREAS, Unfortunately, the 2017 state legislation did not address the pay rate for 18B attorneys; and

WHEREAS, Article 18B establishes compensation paid to attorneys for assigned counsel work at $60/hour for misdemeanor matters and $75/hour for felony defense; and

WHEREAS, These rates have remained unchanged since 2004 and, in that same time period, the United States has seen inflation rise by 57 percent; and

WHEREAS, Counties across the State have had difficulty in recent years attracting and keeping quality 18B attorneys in their region, with stagnate pay reported as the major contributing factor; and

WHEREAS, Without properly funding 18B attorneys, which will keep and attract quality attorneys, the good work by the State to improve indigent defense services could be in jeopardy; and

WHEREAS, The 2023-24 Executive Budget includes an 18b pay rate increase of $158 per hour in downstate NY and $118 per hour rest of State, but fails to include any funding for this increase; and

WHEREAS, This increase without funding will cost county governments approximately $150 million annually, an amount that without state support threatens the quality of county government services and cuts into the gains HH made throughout the defense system; and

WHEREAS, New York State Indigent Legal Services (NYS ILS) agrees that the rate increase without state funding is detrimental to the public defense system and provided Budget testimony that said, while we appreciate that the Executive budget includes a proposal to increase the hourly rate paid to assigned counsel attorneys, the proposal suffers from significant flaws that jeopardize the sustained progress of HH settlement implementation and its extension statewide"; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State to increase the 18B attorney rate to equitable levels; and be it

FURTHER RESOLVED, The State needs to fully fund this increase in keeping with the reasoning set forth in the Hurrell-Harring case and to build on the State Legislature's historic 2017 legislation; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX	**Ayes:** 1359	**Noes:**	**Absent:** 53 (Covington) 187 (Perry) 240 Total	**Abstain:**

#6

RESOLUTION NO. 23-193
(April 11, 2023)

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

RESOLUTION CALLING FOR STUDY AND REFORM OF NEW YORK STATE CIVIL SERVICE SYSTEM TO SUPPORT LOCAL GOVERNMENT EMPLOYEE RECRUITMENT

WHEREAS, In New York, 16.4 percent of the workforce are employed by state, local, or federal level governments, providing needed services to our residents; and

WHEREAS, County governments employ more than 3.6 million public servants nationwide; and

WHEREAS, Prior to the COVID pandemic, the public sector employment trend in New York was to do more with less, spurred on by state funding cuts in certain programs, resulting in a total workforce reduction of 4.5 percent from 2010 to 2020; and

WHEREAS, The Bureau of Labor Statistics showed this downturn in public employment levels has only worsened in the last two years, as the number of private-sector jobs surpassed its pre-pandemic level, while there are 664,000 fewer people employed in the public sector; and

WHEREAS, The counties of New York have all expressed concerns over recent trends regarding the difficulty to hire and retain quality employees as this downturn in public employment levels is putting more stress on our local governments' abilities to provide needed services; and

WHEREAS, Now counties are in a hiring crisis of a shrinking hiring pool and the increase in needed county skilled labor; and

WHEREAS, New York's counties all are seeking to increase employment numbers and create a qualified and diverse workforce; and

WHEREAS, Current restrictions caused by New York State Civil Service Laws create hurdles that are stalling local governments' ability to expand their workforce; and

WHEREAS, While current New York State Civil Service Laws were put in place with good intentions, most were implemented prior to current societal and technological advancements and the time to study and improve this system is long overdue; and

WHEREAS, State Civil Service system changes are needed for county governments to compete with the private sector for potential employees, including the ability to more quickly respond to candidates seeking employment; and

WHEREAS, County governments need hiring flexibility and are best situated to know what job titles should have residency requirements and which should have flexibility to ensure efficient and quality county services; and

WHEREAS, The Governor's proposed Executive Budget recognizes the need for Civil Service reform and proposes an idea the New York State Association of Counties called for in 2022, continuous Recruitment, allowing local governments the option to hold examinations continuously for candidates to apply at any time to take recruitment examinations; and

WHEREAS, The Wyoming County Board of Supervisors thanks the Governor for seeking this needed change, and we call for more to be done to help cure the recruitment challenges we jointly face; and

WHEREAS, Additional specific changes to NYS Civil Service Laws include but are not limited to:

- Codifying the electronic canvassing process authority-allowing email and phone contacts in lieu of mailing letters;
- Simplify standard grading metrics, make them understandable and predictable in order to assist potential applicants to take multiple-choice exams, as well as complete experience-based exams;
- Licensed occupation local approval-allowing local governments to bypass exam or civil service requirements for positions that require already approved and obtained new york accredited licenses;
- Transitioning from provisional to permanent appointments at local option-allow if a state test is not offered within nine months after an individual is provisionally appointed to a position, an employee becomes permanent and/or if an exam is offered within nine months, a person in the provisional appointment is scored as pass/fail on that exam;

- Allow at local option residency requirements-amend public officers law § 3 and allow for full home rule authority to determine county employee residency requirements to increase the candidate pool; and
- Expand the number of eligible employees for appointments to a rule of 5-by expanding the rule of 3, would allow a higher number of candidates to be eligible to be canvassed when public employers are seeking employees.

Now therefore,

BE IT RESOLVED, The State must immediately reform New York State Civil Service Law; and be it

FURTHER RESOLVED, This reform must result in local governments' having more flexibility in hiring practices and the ability to more quickly respond to potential employees; and be it

FURTHER RESOLVED, Counties seek these changes to meet public service needs with a quality workforce that best reflects the residents they serve; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington)
187 (Perry)
240 Total
Abstain:

#7

RESOLUTION NO. 23-194
(April 11, 2023)

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

RESOLUTION NUMBER 22-158 AMENDED

WHEREAS, Resolution Number 22-158 entitled, "**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF HUMAN RESOURCE"** passed by this Board of Supervisors on April 12, 2022 and provides, in part, for the following contract:

- ***Warsaw Pennysaver***, 72 North Main Street, Warsaw, NY 14569 for advertising printing in an amount not to exceed twenty-four thousand dollars ($24,000.00); effective January 1, 2022 through December 31, 2022.

And,

WHEREAS, That Resolution Number 22-158 was previously amended by this Board of Supervisors on September 13, 2022 by ***Resolution Number 22-431*** to increase the contract amount by ***thirty-five thousand dollars ($35,000.00) for a new total amount not to exceed fifty-nine thousand dollars ($59,000.00);*** and

WHEREAS, That Resolution Number 22-158 as previously amended by Resolution Number 22-431 was further amended by this Board of Supervisors February 14, 2023 by ***Resolution Number 23-054*** to increase the contract amount by ***one thousand five hundred fifty-nine dollars and ninety-two cents ($1,559.92) for a new total amount not to exceed sixty thousand five hundred fifty-nine dollars and ninety-two cents ($60,559.92)***; now therefore

BE IT RESOLVED, That ***Resolution Number 22-158*** as previously amended by ***Resolution Number 22-431*** and ***Resolution Number 23-054*** be hereby further amended to increase the contract amount by ***five hundred dollars ($500.00) for a new total amount not to exceed sixty-one thousand fifty-nine dollars and ninety-two cents ($61,059.92).*** All else remains the same. *(Munis #121)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#8

RESOLUTION NO. 23-195
(April 11, 2023)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH EMPLOYEE SERVICES, INC. ON BEHALF OF HUMAN RESOURCE

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Employee Services, Inc.,*** 55 Chamberlain Street, Wellsville, NY 14895 on behalf of Human Resource. Said contract is for Employee Assistance Program (EAP) services in an amount not to exceed twenty thousand five hundred seventy-three dollars and sixteen cents ($20,573.16) ($20.76 per employee); effective April 1, 2023 through March 31, 2024. Contingent upon the availability of funds. *(Munis #1413)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#9

RESOLUTION NO. 23-196
(April 11, 2023)

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

UTILIZATION OF RIGHTS FOR WAGE INCREASE IN ACCORDANCE WITH ARTICLE 10.1 OF THE COLLECTIVE BARGAINING AGREEMENT BY AND BETWEEN CSEA AND THE COUNTY OF WYOMING APPROVED

BE IT RESOLVED, That the Chairman of this Board and Director of Human Resource, with the approval of the County Attorney and County Labor Attorney and in accordance with the provisions of Article 10.1 – "UPGRADES AND DOWNGRADES" of the Collective Bargaining Agreement by and between the Civil Service Employee's Association Local 1000, AFSCME, AFL-CIO and the County of Wyoming hereby approves increased wages for ***Radiologic Technologist(s)*** and ***Sonographer(s)***; effective January 1, 2023 as follows:

Title	2023 Current Grade/Proposed Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
Diagnostic Medical Sonographer	18A	28.03	29.17	30.29	31.42	32.58	33.69	34.85		
	18D	34.85	35.97	37.11	38.25	39.39	40.52	41.66		
Radiologic Technician I - New Grad	12A	21.83	22.33	22.84	23.42	23.92	24.44	24.96		
	14	21.93	22.57	23.11	23.71	24.28	24.84	25.45		
Radiologic Technician II	14	21.93	22.57	23.11	23.71	24.28	24.84	25.45		
	15A	24.71	25.31	25.90	26.43	27.05	27.52	27.92	28.93	29.93
Radiologic Technician III	14C	22.98	23.25	24.13	24.71	25.32	25.90	26.45		
	18	26.60	27.13	27.86	28.28	29.02	29.86	30.79		
Radiologic Technician IV PACS Administrator Nuclear Medicine Technologist	18A	28.03	29.17	30.29	31.42	32.58	33.69	34.85		
	18C	32.52	34.06	39.14	40.81	41.95	42.98	43.99		

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington)
187 (Perry)
240 Total **Abstain:**

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #10 through #18. Hearing no objection, resolution titles only were read.

#10

RESOLUTION NO. 23-197
(April 11, 2023)

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

RESOLUTION URGING THE GOVERNOR AND STATE LEGISLATURE TO ENACT AN EMERGENCY SYSTEM TO ADDRESS THE SCARCITY OF PROVIDERS OF THERAPEUTIC SERVICES FOR EARLY INTERVENTION CARE

WHEREAS, Before and throughout the COVID-19 pandemic, New York State has observed a growing insufficiency of Early Intervention providers, including speech, occupational, physical, and applied behavioral therapists, to render related services to care for children with special needs both in the home and in early intervention settings; and

WHEREAS, Counties are responsible for ensuring that services developed in an Individualized Family Service Plan (IFSP) begin in a timely fashion, namely thirty days from the date of the authorization; and

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

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

WHEREAS, Because of the decline of participating and available providers, counties are not able to provide the Early Intervention services required under the law, even to already enrolled eligible children; and

WHEREAS, A survey conducted in January 2020 of fifty New York State counties found that approximately 1,140 children were on waiting lists for Early Intervention services; and

WHEREAS, A survey conducted in Spring 2022 of forty-eight counties found that approximately 5,769 children were on waiting lists for Early Intervention services across New York State, an over 400 percent increase since 2020; and

WHEREAS, The State Department of Health reported to the Federal Government that one in two children in NYS are not receiving services as required by 34 CFR § 303.310; and

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

WHEREAS, Many children in the EIP have been left with little or no services, and there are no systems currently in place to proactively address when counties have hit critically low provider capacity levels; and

WHEREAS, It is with great awareness that needs can fluctuate with each child and setting in the EIP; however, New York State should have a system to call upon in the event of a provider shortage for this critically important program; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors upon the Governor and New York State Legislature to conduct a needs analysis report for each county EIP to quantify and identify the maximum capacity of available providers within each county to deliver Early Intervention services in their identified catchment area; and be it

FURTHER RESOLVED, That each needs analysis includes an assessment of where IFSPs may be authorizing a more limited scope of services based on existing capacity, and the available methods of service delivery – in-person vs telehealth – within each county, to gain a full understanding of the current state of provider scarcity throughout New York State; and be it

FURTHER RESOLVED, These needs analysis reports are to be completed within six months of this resolution's adoption; and be it

FURTHER RESOLVED, A plan needs to be created to establish a pool of retired professionals and licensure candidates to operate under the supervision of a licensed professional in the execution of an Individualized Family Service Plan; and be it

FURTHER RESOLVED, This effort should use Executive Order 4 "Declaring a Statewide Disaster Emergency Due to Healthcare Staffing Shortage in the State of New York" as a guide to how an emergency pool of providers could be generated; and be it

FURTHER RESOLVED, This plan should be seen as temporary and usage should be evaluated every year until enduring Early Intervention provider capacity has been demonstrated; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#11

RESOLUTION NO. 23-198
(April 11, 2023)

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

RESOLUTION URGING THE GOVERNOR AND STATE LEGISLATURE TO MOVE THE ADMINISTRATIVE RESPONSIBILITY FOR PRESCHOOL SPECIAL EDUCATION TRANSPORTATION SERVICES TO LOCAL SCHOOL DISTRICTS

WHEREAS, Section 200.16(e)(5) of the Regulations of the Commissioner of Education requires the municipality in which a Preschool Special Education Program (Pre-K SEP) student resides to provide suitable transportation, as determined by the board of education, to services developed in an Individual Education Plans (IEP), as needed; and

WHEREAS, Municipalities contract with third-party transportation vendors to provide transportation services to children in the Pre-K SEP to and from necessary services; and

WHEREAS, These third-party transportation vendors have varying health and safety procedures; and

WHEREAS, School districts are experts on transporting children and should have the burden of transporting these children as well; and

WHEREAS, Coordinating with bus companies is a significant administrative burden on municipalities, particularly on already overburdened local health departments; and

WHEREAS, Section 4401(4) of the New York State Education Law requires all school districts to provide transportation for all pupils, defined as children enrolled in any public or nonpublic elementary, middle, or secondary school, with disabilities residing in the district for whom such services are specified in their IEP; and

WHEREAS, Local school districts own, operate, and maintain buses or have systems in place to contract with bus companies to transport pupils with disabilities to and from special classes; and

WHEREAS, Local school districts have existing systems in place to ensure that bus drivers, monitors, and attendants are properly trained and qualified to transport pupils, including those in Pre-K and with disabilities, safely to and from school; and

WHEREAS, Local school districts have experience and processes in place to coordinate frequently changing bus routes; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the Governor and the New York State Legislature to shift the responsibility for the administration of Pre-K-SEP transportation services to local school districts, commensurate with their experience transporting other pupils with disabilities residing in their districts to and from special services; and be it

FURTHER RESOLVED, That an inter-agency task force involving both the New York State Department of Health and the New York State Education Department be convened to evaluate the current structure of the Pre-K SEP and consider best practices and cost-saving mechanisms for Pre-K SEP transportation services moving forward; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State

Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington)
187 (Perry)
240 Total **Abstain:**

#12

RESOLUTION NO. 23-199
(April 11, 2023)

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

RESOLUTION URGING THE GOVERNOR AND STATE LEGISLATURE TO EXPEDITE THE RELEASE OF COVERED LIVES IMPLEMENTATION GUIDANCE AND FUNDS TO COUNTIES

WHEREAS, On December 29, 2021, Governor Kathy Hochul signed bill A.5339/ S.5560A into law, establishing an Early Intervention Program (EIP) Covered Lives pool funded by an assessment on insurance plans; and

WHEREAS, This legislation intended to assure a reliable revenue stream for New York's EIP and went into effect on January 1, 2022; and

WHEREAS, The purpose of this legislation is to relieve the EIP's heavy fiscal burden on counties and the State that resulted from high rates of commercial insurance denials for EI service claims, to improve the EIP for children and families, and to assist providers by relieving some of their administrative duties during service delivery; and

WHEREAS, Prior to Covered Lives going into effect, Early Intervention (EI) service claims were paid through three revenue streams - either commercial insurance, Medicaid, or out of escrow, depending on the child receiving the service's insurance coverage; and

WHEREAS, Counties were responsible for paying 100 percent of the upfront costs of EIP services, not covered by Medicaid or commercial insurance, out of county escrow, with State reimbursement for 49 percent of escrow costs provided at a later date; and

WHEREAS, Since Covered Lives went into effect, providers are no longer billing commercial insurance for services provided; and

WHEREAS, The EIP pool funding is intended to offset both the county and State share of EIP services, not covered by Medicaid; and

WHEREAS, Covered Lives funds have still not yet been distributed to counties; and

WHEREAS, Counties have received limited guidance on how Covered Lives funds will be distributed; and

WHEREAS, The delay in distributing Covered Lives funds to counties has caused increases to their upfront escrow costs; and

WHEREAS, Based on the average percent of total EI costs that municipalities/counties paid from 2014-2021, without any Covered Lives funding to offset the loss of commercial insurance reimbursement, counties will be paying an estimated 2 percent more in total EI costs in 2022, equaling almost $4 million dollars; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the Governor and the New York State Legislature to take measures to expedite the release of Covered Lives funds to counties and continues to dramatically increase retroactivity to January 1, 2022; and be it

FURTHER RESOLVED, The State continues their commitment to this critical program, which benefits children with developmental delays and disabilities, being a shared cost between the State and counties; and be it

FURTHER RESOLVED, The New York State Department of Health, Bureau of Early Intervention and New York State Division of the Budget provide counties with guidance on how the State plans to issue payments, including information regarding if the adjudication and reconciliation of Covered Lives payments will occur at a county level or a child/claim level; and be it

FURTHER RESOLVED, The New York State Department of Health Bureau of Early Intervention consider amending county escrow agreements to change the payment process so the State provides counties with their Covered Lives share at the beginning of the State fiscal year; and be it

FURTHER RESOLVED, The New York State Department of Health, Bureau of Early Intervention provide information on how insurance, service claim, and cost data will be maintained at the child level to ensure funds are being applied fairly across counties; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#13

RESOLUTION NO. 23-200
(April 11, 2023)

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

RESOLUTION URGING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO RESTORE CRITICAL STATE FUNDING SUPPORT FOR CHILD WELFARE SERVICES, SAFETY NET PROGRAMS AND TO FULLY FUND THE RECENT FOSTER CARE RATE SETTLEMENT WITH STATE RESOURCES AND ASSIST COUNTIES IN LOCATING ADDITIONAL CHILD CARE PROVIDERS

WHEREAS, Over the last 15 years the state has devolved away from their historic and constitutional responsibilities of providing social services and support for low-income families and individuals, as demonstrated through significant reductions in state financial support for these programs, thereby shifting state costs and responsibilities to counties and New York City; and

WHEREAS, The state budget is making a major infusion of child care dollars available to counties and counties do not have the child care providers available to meet the existing demand; and

WHEREAS, The reduction of state fiscal match from 65 percent to 62 percent for child welfare services, and lowering state fiscal matching funds for Safety Net Programs from 50 percent to 29 percent along with maximizing federal funding to offset some of this loss, but the federal funds no longer offset losses for most counties today; and

WHEREAS, State funding support for the Foster Care Block Grant was cut by $62 million in state fiscal year 2018, a 14 percent reduction; and

WHEREAS, Many counties have child care deserts that prevent expending the child care funds allocated to local district; and

WHEREAS, The SFY 2023 adopted budget also included provisions to settle longstanding state litigation related to inadequate foster care rates paid to foster parents, with no consultation with counties, a new extraordinary rate is being developed; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors urges the Governor and the Legislature to restore the state open ended child welfare matching rate to 65 percent; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors urges the Governor and Legislature to restore state matching support for Safety Net programs to 50 percent; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors urges the state to fully fund with state resources 100 percent of increased costs related to the foster care rate settlement reached with The Adoptive and Foster Family Coalition of New York, and the new extraordinary rate that is currently in development that the state negotiated; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors urges the state to provide assistance to developing an adequate pool of childcare providers to meet anticipated demand; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington)
187 (Perry)
240 Total **Abstain:**

#14

RESOLUTION NO. 23-201
(April 11, 2023)

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

RESOLUTION URGING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO BECOME A TRUE PARTNER BY FOCUSING ON RENT ALLOWANCE AND STANDARD OF NEED WHICH MUST INCLUDE THE RESTORATION OF 50/50 COST SHARING FOR SAFETY NET PROGRAMS AND PROVIDE ACTUAL BRICK AND MORTAR SOLUTIONS BY MAKING PERMANENT HOUSING THE CENTRAL FOCUS

WHEREAS, Homelessness and housing affordability continue to be major concerns across the state; and

WHEREAS, The COVID-19 pandemic has made the situation worse through increased rental rates, decreased housing supply and an increased reliance on temporary housing assistance in shelters and motels; and

WHEREAS, The provision of additional Code Blue funding is appreciated, many localities still struggle with a lack of shelter resources to meet the needs of the homeless; and

WHEREAS, The homeless population is facing new problems as the needs of families have become more complicated; and

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

WHEREAS, The state requires counties to fund 71 percent of costs for Safety Net individuals and 100 percent of the costs of administering these programs; and

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

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and state legislature to prioritize permanency in housing and to update rental allowances and the standard of need which have not been properly updated in decades to fully address the dramatic growth in housing, energy and food costs; and be it

FURTHER RESOLVED, As part of the effort the state must restore the Safety Net state share to 50 percent; and be it

FURTHER RESOLVED, Counties need brick and mortar solutions to existing housing problems; and be it

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

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

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

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#15

RESOLUTION NO. 23-202
(April 11, 2023)

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

RESOLUTION NUMBER 23-139 AMENDED

WHEREAS, Resolution Number 23-139 entitled, **"RESOLUTION NUMBER 23-056 RESCINDED AND REPLACED,"** was passed by this Board of Supervisors on March 14, 2023 and provides for various member appointments/reappointments to the Office for the Aging Advisory Council as follows:

SUPERVISOR MEMBER
One (1) year term effective January 1, 2023 through December 31, 2023

- ***Ellen Grant (T/Bennington)***, 134 Clinton Street, Alden, NY 14004

TOWN REPS
Three (3) year term effective January 1, 2023 through December 31, 2025

- ***Peter Pilc (T/ Sheldon)***, 725 Route 20A, Strykersville, NY 14145

AGENCY REPS
Three (3) year term effective January 1, 2023 through December 31, 2025

- ***Anthony Solina (Veteran's Services),*** Wyoming County Agricultural Center, 36 Center Street, Warsaw, NY 14569
- ***Bridget Givens (WCCH)*** 400 North Main Street, Warsaw, NY 14569 *(replacing D. Eichenhauer)*
- ***Melissa Sullivan (HomeCare & Hospice),*** 1225 West State Street, Olean, NY 14760

Now therefore,

BE IT RESOLVED, That ***Resolution Number 23-139*** be hereby amended to remove ***Anthony Solina (Veteran's Services)*** and ***Bridget Givens (WCCH)*** as these individuals were previously appointed to the Advisory Council by Resolution Number 22-639.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington)
187 (Perry)
240 Total **Abstain:**

#16

RESOLUTION NO. 23-203
(April 11, 2023)

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

CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A CONTRACT WITH ATTICA ESTATES ON BEHALF OF THE DEPARTMENT OF

SOCIAL SERVICES

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with ***Attica Estates,*** PO Box 204, Boston, NY 14025 on behalf of the Department of Social Services. Said contracts to assist in the prevention of homelessness under the Emergency Solution Grant provided by the CARES ACT in an amount not to exceed the 2022~2023 grant budget total; effective February 1, 2022 through September 30, 2023. *(Munis Contract #1401)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#17

RESOLUTION NO. 23-204
(April 11, 2023)

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

RESOLUTION NUMBER 22-047 AMENDED

WHEREAS, Resolution Number 22-047 entitled, **"POSITION(S) APPROVED"** was passed by this Board of Supervisors on January 11, 2022 and provides for positions in the following Wyoming County Department:

CREATED:

Social Services

- One (1) position of ***Caseworker Trainee*** (1.00 FTE) on CSEA Schedule A, Job Grade 12 at $20.20/hr. - $23.14/hr.; position available date is January 12, 2022.
  - Promoted to Caseworker (position code 166.042) (Grade 14) after six (6) months of satisfactory performance during the training period.
  - Funded by current Caseworker
- One (1) position of ***Caseworker Trainee*** (1.00 FTE) on CSEA Schedule A, Job Grade 12 at $20.20/hr.- $23.14/hr.; position available date is January 12, 2022.
  - Promoted to Caseworker (position # 006.042) (Grade 14) after six (6) months of satisfactory performance during the training period.
  - Funded by current Caseworker

Now therefore,

BE IT RESOLVED, That ***Resolution Number 22-047*** be hereby amended to correct the two (2) Caseworker Trainee positions to be promoted to Caseworker ***after twelve (12) months of satisfactory performance*** during the training period.
All else remains the same.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**

187 (Perry)
240 Total

#18

RESOLUTION NO. 23-205
(April 11, 2023)

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

CHILD ABUSE AND NEGLECT PREVENTION MONTH PROCLAIMED

WHEREAS, Child abuse is a complex and ongoing problem in our society, affecting great numbers of children in Wyoming County; and

WHEREAS, Every child is entitled to be loved, cared for, nurtured and secure, and to be free from verbal abuse, sexual abuse, emotional and physical abuse and neglect; and

WHEREAS, Wyoming County faces a continuing need to support community-based programs to prevent child abuse and neglect; and

WHEREAS, It is the responsibility of every adult who comes in contact with a child to protect that child's inalienable right to a safe nurturing childhood; and

WHEREAS, Wyoming County has dedicated individuals and organizations who work daily to counter the problem of child abuse and neglect and to help parents obtain assistance they need; and

WHEREAS, Our County is stronger when all citizens become aware of child abuse and neglect prevention and become involved in supporting parents to raise their children in a safe, nurturing environment; and

WHEREAS, Wyoming County residents celebrate children, this county's greatest resource and the community leaders of tomorrow; now therefore

BE IT RESOLVED; That the Board of Supervisors do hereby proclaim the Month of April 2023 as **CHILD ABUSE AND NEGLECT PREVENTION MONTH** in Wyoming County and commend this observance to the citizens of this county.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

Ms. Grant, T/Bennington asked Dir. of Services M. Drum to come forward to accept the proclamation.

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #19 through #24. Hearing no objection, resolution titles only were read.

#19

RESOLUTION NO. 23-206
(April 11, 2023)

By Ms. Grant, Vice-Chairman of the Public Health Committee:

RESOLUTION TO PERMANENTLY CARVE OUT SCHOOL-BASED HEALTH CENTER (SBHC) SERVICES FROM THE MEDICAID MANAGED CARE (MMC) BENEFIT PACKAGE AND INTO A FEE-FOR-SERVICE MODEL

WHEREAS, SBHCs provide cost-effective comprehensive primary medical care, dental, vision, and mental health services at no out-of-pocket cost to all students, regardless of insurance status or ability to pay; and

WHEREAS, SBHCs are a proven model for increasing access to health and mental health services and a vehicle for eliminating racial and ethnic health disparities in communities they serve, fostering health equity for low-income and minority youth; and

WHEREAS, SBHCs have been "carved-out" of the Medicaid Managed Care program since 1985, enabling them to receive reimbursement directly from the New York State Department of Health (NYSDOH) on a fee-for-service basis; and

WHEREAS, NYSDOH is planning to end the carve-out for SBHCs, which would require them to negotiate the terms and conditions of reimbursement with the MMC health plans and receive payment from the health plans; and

WHEREAS, It is estimated that the transition to MMC will result in a loss of over $16 million in funds to SBHCs, which could force a reduction in essential services and the closure of these vital centers in the neighborhoods that need them the most; and

WHEREAS, During the 2021 Legislative Session, the Senate and Assembly unanimously passed S.2127 (Rivera)/A.1587 (Gottfried) to permit SBHCs to choose to remain out of MMC; and

WHEREAS, Governor Hochul vetoed S.2127/A.1587, citing the need for such legislation to be enacted in the context of the state budget after further review from NYSDOH and the Medicaid program; now therefore

BE IT RESOLVED, The Wyoming County Board of Supervisors calls on the Governor and Legislature to enact legislation as part of the Fiscal Year 2024 State Budget to create a permanent carve-out for SBHCs from the MMC program to enable SBHCs to receive reimbursement directly from NYSDOH; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State

Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#20

RESOLUTION NO. 23-207
(April 11, 2023)

By Ms. Grant, Vice-Chairman of the Public Health Committee:

RESOLUTION CALLING ON GOVERNOR KATHY HOCHUL TO DECLARE A STATE OF EMERGENCY REGARDING THE OVERDOSE EPIDEMIC IN NEW YORK STATE TO REMOVE STATUTORY BARRIERS TO LOCAL DATA SHARING NECESSARY FOR TIMELY INTERVENTIONS

WHEREAS, The use of opioids, such as hydrocodone, oxycodone, fentanyl, carfentanil, tramadol, methadone, and heroin can be fatal or cause severe side effects; and

WHEREAS, A 2022 report released by the New York State Comptroller showed that, in 2020, opioid overdose deaths increased 38 percent nationally and 44 percent in New York and in several New York State counties continues to rise, with some reports showing an increase of 68 percent in New York State alone between 2019 and 2021; and

WHEREAS, Overdoses involving opioids in New York State increased to 85 percent in 2020 and 2021, with synthetic opioids accounting for 78 percent in 2021, compared to 11 percent in 2010; and

WHEREAS, New York State counties continue to experience an upward trend in drug overdose deaths and non-fatal overdoses, particularly those resulting from opioids; and

WHEREAS, Drugs, including but not limited to heroin, cocaine, opioids, and Xanax are being laced with fentanyl; and

WHEREAS, While pharmaceutical fentanyl is 50-100 times more potent than morphine, illicitly manufactured fentanyl can contain even higher concentrations, increasing the danger of overdose, with two out of every five pills laced with fentanyl containing a potentially lethal dose; and

WHEREAS, Since 2019, the increase of counterfeit pills containing fentanyl seized by the federal Drug Enforcement Agency (DEA) has increased by 430 percent; and

WHEREAS, Access to data is critical to identifying and quickly adjusting response to local trends in drug use and the presence of additives, such as fentanyl and xylazine, which increases the risk of death and the potential impact response options; and

WHEREAS, The American Medical Association's 2022 Overdose Epidemic Report notes data gaps as a limiting factor to evidence-based public health interventions and outcomes; and

WHEREAS, Currently available data remains incomplete, or delayed, and is not standardized for comparison, and often lags years behind current year trends; and

WHEREAS, Statutory reporting requirements typically flow from state to local, with no statutory mechanism or bi-directional data processes to allow real-time data access and sharing at the local level; and

WHEREAS, NYSDOH must move towards an enhanced capacity to conduct surveillance to respond to this and other health conditions in real time; and

WHEREAS, Improving standardization, quality, and timeliness of data collection and analyses will help advance local prevention, treatment and harm reduction efforts to improve outcomes and reduce overdose and death; and

WHEREAS, The federal Health Insurance Portability and Accountability Act (HIPAA) and Code of Federal Regulations (CFR) 42 permit covered entities to disclose protected health information, without authorization, to public health authorities who are legally authorized to receive such reports for the purpose of preventing or controlling disease, injury, or disability; and

WHEREAS, Barriers exist in various sections of New York State Law that constrain local ability to access and share critical information regarding opioid use and overdoses, include electronic death records, toxicology reports, emergency response reports, and other vital events; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Kathy Hochul to declare a state of emergency regarding the overdose epidemic to address statutory barriers to local data access and sharing; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors encourage the Governor to enact Executive Order(s) to allow for immediate local data sharing as permitted under HIPAA to increase transparency and access that can be used locally to save lives from the overdose epidemic; and be it

FURTHER RESOLVED, That the Governor and Legislature should work with NYSDOH to develop a system of data sharing to allow for advanced surveillance data by county departments of health; and be it

FURTHER RESOLVED, The Governor and Legislature should pursue statutory changes to permanently allow for local data access and sharing to facilitate real-time identification of local trends in drug use, including non-fatal and fatal overdoses to allow for timely interventions to reduce preventable injuries and deaths; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#21

RESOLUTION NO. 23-208
(April 11, 2023)

By Ms. Grant, Vice-Chairman of the Public Health Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CEADVISORY, INC. D/B/A ADCRITTER ON BEHALF OF MENTAL HEALTH

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Ceadvisory, Inc., d/b/a AdCritter,*** 2510 8th Avenue, 2nd Floor, Nashville, TN 37204 on behalf of Mental Health. Said contract is for a targeted online advertising campaign in an amount not to exceed sixteen thousand dollars ($16,000.00); effective April 1, 2023 through December 31, 2023. Contingent upon the availability of funds. *(Munis #1425)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#22

RESOLUTION NO. 23-209
(April 11, 2023)

By Ms. Grant, Vice-Chairman of the Public Health Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH DR. PETER S. MARTIN ON BEHALF OF MENTAL HEALTH

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Dr. Peter S. Martin,*** 169 Morris Avenue, Buffalo, NY 14212 on behalf of Mental Health. Said contract is for CPL 730 examinations in an amount not to exceed six thousand dollars ($6,000.00); effective January 1, 2023 through December 31, 2023. Contingent upon the availability of funds. *(Munis CO #1337)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#23

RESOLUTION NO. 23-210
(April 11, 2023)

By Ms. Grant, Vice-Chairman of the Public Health Committee:

CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN VARIOUS GRANT APPLICATIONS AND ACCEPTANCE AWARDS ON BEHALF OF THE COUNTY HEALTH DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health, with the approval of the County Attorney, are hereby authorized and directed to sign various grant applications and acceptance award as follows:

- ***New York State Department of Health,*** Empire State Plaza, Corning Tower, Albany, NY 12237 for the funding of the *Immunization Action Plan* in a minimum amount of one hundred fifty-five thousand two hundred fifty dollars ($155,250.00); effective April 1, 2023 through March 31, 2028. *(Munis #1432)*
- ***Health Research, Inc.,*** Riverview Center, 150 Broadway, Menands, NY 12204 for the CDC-sponsored grant *"Strengthening U.S. Public Health Infrastructure, Workforce and Data Systems"* in a minimum amount of five hundred fifty-nine thousand eight hundred eighty-three dollars ($559,883.00); effective December 1, 2022 through November 30, 2027. *(Munis #1433)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#24

RESOLUTION NO. 23-211
(April 11, 2023)

By Ms. Grant, Vice-Chairman of the Public Health Committee:

CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A CONTRACT WITH TRIZETTO PROVIDER SOLUTIONS, LLC 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 ***Trizetto Provider Solutions, LLC,*** 501 North Broadway Street, St. Louis, Missouri 63102 on behalf of the County Health Department. Said contract is for electronic medical record clearinghouse services. Annual charges per fee schedule based on volume and provider in an amount not to exceed established budget; effective

January 1, 2016 through December 31, 2026. Contingent upon the availability of funds. *(Munis #1385)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

There was a motion by Mr. Becker, T/Sheldon, to combine resolutions #25 through #27. Hearing no objection, resolution titles only were read.

#25

RESOLUTION NO. 23-212
(April 11, 2023)

By Mr. Becker, Chairman of the Agriculture Committee:

RESOLUTION IN SUPPORT OF THE FEDERAL PROTECTING SCHOOL MILK CHOICES ACT

WHEREAS, Milk represents an essential way for kids to get the nutrients they need for healthy growth and development; and

WHEREAS, Research finds that children who drink flavored milk consume more nutrients of concern like calcium, vitamin D, and potassium compared to non-flavored milk drinkers; and

WHEREAS, Leading health groups like the American Academy of Pediatrics, the Academy of Nutrition and Dietetics, the School Nutrition Association, and the American Heart Association also acknowledge the important role that flavored milk plays in ensuring kids get the three cups of milk and milk products recommended by the Dietary Guidelines for Americans; and

WHEREAS, Studies have shown that reducing or eliminating the availability of flavored milk in schools has led to overall decreased milk consumption and increased food waste; and

WHEREAS, Research shows that flavored milk consumption is not associated with weight gain or even a higher total daily sugar intake in children as most flavored milks contain less sugar than the cap of 22 grams per eight-ounce serving recommended by the National Academies of Sciences, Engineering, and Medicine (NASEM); and

WHEREAS, New York's counties are committed to supporting the dairy farmers, producers, and agriculture partners across New York, while also ensuring that all New York school children have access to life-enhancing nutrients; and

WHEREAS, Milk is New York State's largest agricultural commodity and is produced by more than 3,500 farms; and

WHEREAS, Any actions that prevent flavored milk from being served in schools would not only deny children access to a healthy and nutritious option that increases participation in school breakfast and lunch programs but would also be detrimental to New York's dairy industry; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors in recognition of the legacy of former Assemblyman William MaGee, supports legislation to ensure schools participating in the National School Lunch Program offer students at least one flavored milk option; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#26

RESOLUTION NO. 23-213
(April 11, 2023)

By Mr. Becker, Chairman of the Agriculture Committee:

RESOLUTION IN SUPPORT OF THE GOVERNOR'S BUDGET PROPOSAL TO MODIFY THE INVESTMENT TAX CREDIT FOR FARMERS BY MAKING IT REFUNDABLE

WHEREAS, New York has over 33,000 farms encompassing roughly seven million acres of farmland comprising approximately 20 percent of the state's total land area; and

WHEREAS, These farms produce nearly $3.2 billion annually in direct economic output and nearly $6 billion in commodity sales; and

WHEREAS, The state provides several programs to help farms maintain and improve their operations and agricultural production, including the investment tax credit; and

WHEREAS, The investment tax credit is refundable only for new businesses, as such and eligible farmer with little or no taxable income generally cannot receive the full benefit; and

WHEREAS, On average, a farm sees approximately $15,000 in investment tax credits go unutilized each year; and

WHEREAS, The Governor's budget proposes to remedy this situation by providing eligible farmers with an investment tax credit that is fully refundable for the next five years though 2027; and

WHEREAS, The modifications proposed will allow eligible farmers to receive a much-needed benefit that would enable them to continue to update, modernize, and invest in their farming operations; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors strongly endorses the Governor's proposed budget reforms to the investment tax credit for farmers and we encourage the State Legislature to support this proposal; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#27

RESOLUTION NO. 23-214
(April 11, 2023)

By Mr. Becker, Chairman of the Agriculture Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WYOMING COUNTY SOIL AND WATER CONSERVATION DISTRICT ON BEHALF OF THE BOARD OF SUPERVISORS

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Wyoming County Soil and Water Conservation District,*** 36 Center Street, Suite D, Warsaw, NY 14569 on behalf of the Board of Supervisors. Said contract is for agriculture district review services in an amount not to exceed twenty thousand dollars ($20,000.00); effective January 1, 2023 through December 31, 2023. Contingent upon the availability of funds. *(Munis #1416)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

There was a motion by Mr. Roche, T/Eagle, to combine resolutions #28 through #30. Hearing no objection, resolution titles only were read.

#28

RESOLUTION NO. 23-215
(April 11, 2023)

By Mr. Roche, Chairman of the Green Energy Committee:

RESOLUTION IN SUPPORT OF PRODUCT STEWARDSHIP AND URGING THE ESTABLISHMENT OF A STEWARDSHIP PROGRAM FOR PACKAGING AND PRINTED PAPER

WHEREAS, As noted in the Climate Action Council's Final Scoping Plan, more than 18 million tons of municipal solid waste (MSW) is generated each year in New York State; and

WHEREAS, 70 percent of MSW is made up of discarded products and packaging; and

WHEREAS, In New York, more than 18 million tons of municipal solid waste is generated each year, or about five pounds per day for every person who lives in the state; and

WHEREAS, Greenhouse gas (GHG) emissions from the waste sector represent about 12 percent of statewide emissions; and

WHEREAS, The most significant GHG emissions impact during the lifecycle of products and packaging result not from disposal but from the production of products and packaging that eventually become waste; and

WHEREAS, The Climate Action Council's Climate Justice Working Group has expressed support for enacting broad Extended Producer Responsibility (EPR) or product stewardship requirements to cover the end-of-life management of post-consumer products and indicated that EPR should be a priority for addressing emissions from the waste sector; and

WHEREAS, The Final Scoping Plan recommends the State enact and implement new legislation in 2023 that creates a product stewardship framework or targets products with the greatest GHG impact, such as packaging and printed paper, carpet, tires, textiles, solar panels, wind turbines, batteries, appliances, and mattresses; and

WHEREAS, Governor Kathy Hochul introduced the Waste Reduction and Recycling Infrastructure Act as part of her Fiscal Year (FY) 2024 Executive Budget proposal to create an EPR program for packaging and paper products; and

WHEREAS, Bills to create an EPR program for packaging and paper products have also been introduced by Senator Peter Harkham (S.4246) and by Senator Rachel May and Assemblymember Steve Englebright (S.9493/A.10185); and

WHEREAS, These EPR programs would significantly reduce waste and single-use plastic packaging and would require producers to take responsibility for the end-of-life management of their own packaging and invest in modernizing the operations at local recycling

facilities; and

WHEREAS, S.9493/A.10185 and S.4246 would also prohibit certain toxic and dangerous chemicals in packaging, including per- and polyfluoroalkyl substances (PFAS), ortho-phthalates, bisphenols, halogenated flame retardants, such heavy metals as lead, cadmium and mercury, and other chemicals posing a threat to human health and safety and to the environment; and

WHEREAS, Not only would such an EPR program provide relief to local governments, but it would also reduce GHG emissions from the production and disposal of consumer goods by incentivizing producers to reduce waste and design products that are more sustainable; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports EPR as a policy tool to make producers legally and financially responsible for mitigating the environmental impacts of their products and packaging; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors urges the Governor and Legislature to enact an EPR program for packaging and printed paper to reduce waste by at least 20 percent within five years and 50 percent within 10 years and shift the burden of managing the ever-evolving packaging waste stream away from taxpayers and local governments and onto producers and manufacturers; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors supports an EPR program that prohibits toxic and dangerous chemicals in packaging, including those chemicals listed in bills S.9493/A.10185 and S.4246, to protect public health and safety and avoid costs associated with their production, transport, use and disposal, including public health costs, costs of environmental remediation and costs of responding to such accidents as the recent derailment in East Palestine, Ohio of a train carrying vinyl chloride; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors urges county representation on the advisory council created to implement and oversee the program; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors urges the Governor and Legislature to also create an EPR framework to enable the State to create stewardship requirements for additional products with significant GHG impacts, such as solar panels; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX	**Ayes:** 1359	**Noes:**	**Absent:** 53 (Covington) 187 (Perry) 240 Total	**Abstain:**

#29
#28

RESOLUTION NO. 23-216
(April 11, 2023)

By Mr. Roche, Chairman of the Green Energy Committee:

RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO EVALUATE AND ADDRESS BARRIERS TO PARTICIPATION IN NEW YORK STATE'S WEATHERIZATION AND ENERGY EFFICIENCY PROGRAMS

WHEREAS, According to the Climate Action Council's Final Scoping Plan, the buildings sector is the largest source of greenhouse gas emissions in New York State; and

WHEREAS, Buildings were responsible for 32 percent of emissions statewide in 2019, with a significant portion coming from the combustion of fossil fuels in residential (34 percent) and commercial buildings (19 percent); and

WHEREAS, New York's residential and commercial buildings are older than the national average, which presents an opportunity for buildings to be upgraded in ways that improve both quality of life and energy performance; and

WHEREAS, New York State invests over $1 billion in public funds annually for State- and utility-administered grant and market development programs focused on energy-efficient buildings, including NYS Clean Heat, the NYS Weatherization Assistance Program (WAP), and the EmPower New York Program; and

WHEREAS, As noted in the Scoping Plan, financial incentive programs will need to scale up dramatically to motivate millions of homeowners and building owners to install high-efficiency electric heat pumps and make energy efficiency improvements, such as sealing air leaks, adding insulation, and using building controls; and

WHEREAS, Before the State scales up these programs, it will be important for policymakers to assess their limitations in order to increase participation, advance climate justice, and maximize the impact of these investments; and

WHEREAS, One group that is often unable to participate in weatherization and energy efficiency programs is mobile homeowners because the owner of the housing unit does not also own the property on which it is located; and

WHEREAS, Health and safety issues often prevent New Yorkers who would otherwise qualify for assistance from taking advantage of it, as many of the State's programs will not fund repairs that must be done prior to energy efficiency retrofits or weatherization projects; and

WHEREAS, The inability to use program funds for basic repairs – including addressing moisture issues, repairing roofs, and upgrading electrical panels – can make retrofits impossible or ineffective and contribute to health issues, such as asthma; and

WHEREAS, The Green & Healthy Homes Initiative (GHHI) – a public-private partnership between federal, state, and local governments, as well as national and local philanthropy – provides a model for how to redefine home-based health and safety funding and programs so that they are more effective in terms of health outcomes and more efficient in terms of cost savings; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and Legislature to investigate and address barriers to participation in state programs designed to support weatherization and energy efficiency retrofits, including streamlining application processes, implementing a "no wrong door" policy, and investing in more clean energy advisors to guide New Yorkers through the application process; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors urges the Governor and Legislature to provide additional support for county energy coordinators in the FY 2024 State Budget to assist NYSERDA's Regional Clean Energy Hubs; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors supports the $200 million EmPower Plus program proposed in the Fiscal Year (FY) 2024 Executive Budget and urges the Governor and Legislature to create an additional $200 million fund for home repairs targeted at low- and middle-income (LMI) households to address barriers to energy efficiency improvements and electrification with the goal of creating healthy, safe and energy efficient homes; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors encourages policymakers to use the GHHI as a model for improving state assistance programs so we can work towards achieving the Climate Act's goals while also addressing the social determinants of health and racial equity through healthy housing; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington)
187 (Perry)
240 Total **Abstain:**

#30

RESOLUTION NO. 23-217
(April 11, 2023)

By Mr. Roche, Chairman of the Green Energy Committee:

RESOLUTION CALLING UPON THE PUBLIC SERVICE COMMISSION (PSC) TO AUTHORIZE COUNTIES TO AUTHORIZE AND FORM COMMUNITY CHOICE AGGREGATION (CCA) PROGRAMS

WHEREAS, On April 21, 2016, the Public Service Commission (PSC) issued its Order Authorizing Framework for Community Choice Aggregation Opt-Out Program, which authorized the establishment of Community Choice Aggregation (CCA) programs by cities, towns, and villages statewide and articulated the necessary design principles and standards that municipalities must apply in developing and implementing CCA programs for their constituents; and

WHEREAS, CCA programs allow local governments to make bulk power purchases on behalf of participating homes and businesses in their jurisdiction, making it easier for residents and employers to benefit from local clean energy projects; and

WHEREAS, Most communities in New York State that have implemented a CCA program procure 100 percent renewable energy as their default supply, which has helped to scale up renewable energy systems and reduce greenhouse gas emissions; and

WHEREAS, When CCAs integrate opt-out community solar, participating homes and small businesses are enrolled in one or more community solar projects from which they receive credits on their electric bill, which typically guarantee savings of 5 percent to 10 percent; and

WHEREAS, Opt-out community solar allows CCAs to enroll hundreds, or even thousands, of people at once, significantly reducing soft costs associated with solar and making the economics of renewable energy more attractive; and

WHEREAS, For the abovementioned reasons, CCAs are tools for transformative change in the way consumers connect to and purchase their energy; and

WHEREAS, The transformative potential of CCAs is limited by the Public Service Commission, which, in its 2016 Order, made counties ineligible to create their own CCAs programs; and

WHEREAS, As a result, county governments have been limited to encouraging municipalities to form an inter-municipal CCA and providing administrative support; and

WHEREAS, The Climate Action Council's Final Scoping Plan includes a recommendation for PSC to enable county governments to authorize and form CCA programs in recognition of the important role this could play in speeding up the State's transition to clean energy; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the Public Service Commission to authorize counties to authorize and form community choice aggregation programs with a local opt-out in addition to the cities, towns, and villages that are currently eligible to participate; and be it

FURTHER RESOLVED, That enabling counties to create CCAs will allow for more purchasing power, more affordable rates, and greater renewable energy adoption; and be it

FURTHER RESOLVED, That Wyoming County Board of Supervisors further supports the Final Scoping Plan's recommendation to remove barriers to entry, particularly for lower-income households, and include safeguards for energy-burdened households that may have been the target of previous predatory practices related to their energy bills and services; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #31 and #32. Hearing no objection, resolution titles only were read.

#31

RESOLUTION NO. 23-218
(April 11, 2023)

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION CALLING FOR THE FEDERAL COMMUNICATIONS COMMISSION TO ADDRESS THE LACK OF CELLULAR PHONE COVERAGE FOR UNSERVED AND UNDERSERVED AREAS

WHEREAS, Americans are increasing their dependency on cellular phones for voice communications; and

WHEREAS, Many areas of the United States, particularly in rural areas, are either underserved or not served at all by cellular phone carriers; and

WHEREAS, Cellular phones and the requisite cellular coverage are, in many cases, the first link of our emergency response chain; and

WHEREAS, According to the National Emergency Number Association, an estimated 240 million calls are made to 9-1-1 in the U.S. each year, and, in many areas, 80 percent or more of these calls are from wireless devices; and

WHEREAS, Without adequate service, New Yorkers who live in the unserved or underserved areas, along with visitors and travelers, cannot reach emergency services when they become necessary; and

WHEREAS, The sizable percentage of individuals who rely solely on cellular phone service, combined with the unserved and underserved areas of rural areas, presents a substantial concern for public safety; and

WHEREAS, Providing cellular service to rural areas would alleviate public safety concerns related to accessing emergency services through E-911 and strengthen economic development opportunities; and

WHEREAS, The Federal Communications Commission (FCC) designates the Universal Service Administrative Company (USAC) to administer the Universal Service Fund (USF), which is dedicated to increasing access to telecommunications and advanced telecommunications services; and

WHEREAS, USAC established the High Cost Program to provide funding to telecommunications carriers for the purpose of delivering service to rural areas where the market alone cannot support the cost to provide telecommunications services; and

WHEREAS, Even though the High Cost Program is the largest of the four USF programs, many areas in rural America remain unserved or underserved; now therefore

BE IT RESOLVED, The Wyoming County Board of Supervisors urges the FCC to provide adequate funding to telecommunications carriers to ensure cellular build-out to the unserved and underserved areas of the United States; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#32

RESOLUTION NO. 23-219
(April 11, 2023)

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION OPPOSING WASTE DISPOSAL SURCHARGES AND REQUESTING AN EXEMPTION FOR PLANNING UNITS

WHEREAS, The New York State Department of Environmental Conservation (NYSDEC) requires, and relies upon Local Solid Waste Management Planning Units to provide comprehensive waste reduction, recycling, and disposal services to communities throughout the state; and

WHEREAS, Local Solid Waste Management Planning Units have collectively invested billions of dollars in their comprehensive solid waste management systems and are responsible to set rates to support such systems, including the implementation of their Local Solid Waste Management Plans that are approved by the NYSDEC; and

WHEREAS, Local Solid Waste Management Planning Units face constant pressures by the local communities they serve to operate as efficiently as possible, such that they have the lowest possible operating costs, including the waste disposal fees charged to waste haulers and residents; and

WHEREAS, The Climate Action Council's Final Scoping Plan recommends (on page 338) that the State "enact legislation in 2023 to establish a disposal disincentive (fee per ton) on all waste generated in New York to provide financial support for reduction, reuse, and recycling;" and

WHEREAS, Most Local Solid Waste Management Planning Units already implement fee structures that support their waste reduction, reuse, and recycling programs and disincentivize disposal because recycling programs are generally offered a no cost or at a fee significantly lower than disposal fees; and

WHEREAS, The implementation of statewide per ton fees essentially undermines and penalizes the efforts by Local Solid Waste Management Planning Units to provide cost-effective comprehensive systems; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors opposes the implementation of any state imposed type of waste disposal surcharge; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby requests that Local Solid Waste Management Planning Units receive an exemption from such surcharges should the State choose to implement them at other disposal facilities; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington)
187 (Perry)
240 Total **Abstain:**

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #33 through #38. Hearing no objection, resolution titles only were read.

#33

RESOLUTION NO. 23-220

(April 11, 2023)

By Mr. Leuer, Vice-Chairman of the Public Works Committee:

RESOLUTION URGING THE GOVERNOR AND STATE LEGISLATORS TO ENACT INCREASES FOR LOCAL HIGHWAY, BRIDGE AND CULVERT PROGRAMS TO RESPOND TO A 22 PERCENT INCREASE IN CONSTRUCTION COSTS AND ONGOING FUNDING GAPS

WHEREAS, Governor Kathy Hochul proposed, and the Legislature approved, a record $1.228 billion investment in local road and bridge programs in the 2023 State Budget that will improve safety for millions of motorists and create tens of thousands of jobs at a critical time to promote economic recovery; and

WHEREAS, This new 5-year State Transportation Capital Plan provides unprecedented support for local governments to maintain and improve roads and bridges highlighted by the Consolidated Local Streets and Highway Improvement Program (CHIPS) funded at $538 million, BRIDGE-NY funded at $200 million per year, PAVE-NY at $150 million, and Extreme Winter Recovery and State Touring Routes Programs at $100 million each; and

WHEREAS, Governor Hochul also initiated a brand-new program, Operation Pave Our Potholes (POP), to provide $1 billion over 5 years with fifty percent of the funds to be distributed annually to local governments to resurface and renew the state's worst roadway pavements; and

WHEREAS, However, these tremendous gains in resources for counties, towns, cities, and villages are threatened by inflation and the rapidly rising costs of construction inputs; and

WHEREAS, The real value of local highway and bridge funding has been reduced by a 16.5 percent increase in construction costs in 2022 and is projected to be further eroded by inflationary increases of 5.1 percent in 2023, according to the US Bureau of Labor Statistics; and

WHEREAS, The total 22 percent inflation-induced impact translates to a stunning $270 million reduction in state aid to municipalities throughout the state for critical highway maintenance and pavement rehabilitation, and bridge and culvert projects; and

WHEREAS, Locally owned roads and bridges account for 87 percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges, and 46 percent of the vehicle miles travelled in New York are on local roads so the state's contribution to funding is a vital part of assuring the condition and resiliency of our statewide transportation systems; and

WHEREAS, This vast system of local roads, bridges and culverts requires a sustained high level of funding immediately and in the future to continue to reverse the deterioration of our aged and ailing transportation infrastructure and build up its resistance to severe winter storms and other natural disasters due to climate change; and

WHEREAS, The New York State Association of Town Superintendents of Highways commissioned a study released in November, 2013 and periodically updated since then, finds that current expenditures on local roads is not keeping pace with pavement and bridge needs, and that over $2 billion in additional revenue is required annually to address the accelerating deterioration of the pavement and bridge infrastructure that will adversely impact the motoring public, system safety and the economic vitality of New York state; and

WHEREAS, A safe and efficient transportation infrastructure is necessary for trade, economic development and revitalization, job creation and retention, schools, agriculture, businesses, health and hospital facilities and emergency responders, as well as the general traveling public; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors commends the Governor and the legislature for their ongoing commitment to enhancing state investments in local roads, bridges, and culverts; and be it

FURTHER RESOLVED, Recognizing the impacts of cost inflation for such highway construction inputs as steel, fuel and asphalt, state value of state funding to local transportation funding programs is rapidly declining, meaning fewer critical road, bridge and culvert projects are able to be undertaken; and be it

FURTHER RESOLVED, The reported funding gap between what level of funding is needed and what is made available from all sources is $2 billion and getting wider every year; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors looks forward to working with Governor Hochul and the Legislature on significantly increasing state aid to local road and bridge projects as deliberations on the state budget and adjustments to the Transportation Capital Plan continues; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX	**Ayes:** 1359	**Noes:**	**Absent:** 53 (Covington) 187 (Perry) 240 Total	**Abstain:**

#34

RESOLUTION NO. 23-221
(April 11, 2023)

By Mr. Leuer, Vice-Chairman of the Public Works Committee:

RESOLUTION RECOGNIZING THE CHALLENGES LOCAL HIGHWAY DEPARTMENTS FACE TO COMPLY WITH THE STATE'S CLIMATE GOALS AND TO ESTABLISH A LOCAL HIGHWAY DEPARTMENT ADVISORY GROUP

WHEREAS, In 2019, the Climate Leadership and Community Protection Act (CLCPA) was signed into law and requires New York to reduce economy-wide greenhouse gas emissions 40 percent by 2030 and no less than 85 percent by 2050 from 1990 levels; and

WHEREAS, The CLCPA also calls for 70 percent of New York State's electricity to come from renewables by 2030 and 100 percent zero emissions electricity by 2040; and

WHEREAS, The CLCPA directs the development of performance-based standards for sources of greenhouse gas emissions, including but not limited to: transportation, building, industrial, commercial, and agricultural sectors; land-use and transportation planning measures aimed at reducing greenhouse gas emissions from motor vehicles; measures to promote the beneficial electrification of personal and freight transport; and other strategies to reduce greenhouse gas emissions from the transportation sector; and

WHEREAS, The New York State Association of Town Superintendents of Highways commissioned a study released in November 2013 and periodically updated which found that current expenditures on local roads is not keeping pace with pavement and bridge conditions, and an additional $2.074 billion in annual spending is needed to address local pavement and bridge conditions of this local system, not including New York City; and

WHEREAS, The cost of transitioning the state and local highway departments' construction equipment, vehicles, and snowplows to run on electricity is at this juncture incalculable, but expected to exceed the ability to be financed without substantial sources of new revenues that will need to be directed strictly for the retrofit or procurement of such electric equipment and vehicles; and

WHEREAS, As commercial production of medium and heavy-duty large-scale, electric construction vehicles is today an essentially non-existent industry, the ability of local highway departments to plan for this transition, with its concomitant mandates that fuel and electricity charging sources be carbon-free, is of tremendous concern considering that transportation at all levels of New York government is currently significantly underfunded every year; and

WHEREAS, The State is promoting "Green Procurement" initiatives through such programs as Green NY and Green Purchasing Community and an Executive Order was issued to develop products that meet a State's Sustainability Product Specifications standards; and

WHEREAS, This goal must be implemented in a way that is affordable while assuring adequate supplies of these specialized products and materials are available to meet the State's Sustainability Product Specifications; and

WHEREAS, Recognizing these potential impacts on the ability of local governments to deliver necessary transportation services and facilities to the traveling public and businesses at an

affordable cost, it is vital that state elected representatives and state agencies assist county highway departments in assuring the development of the state's strategies for achieving these aggressive greenhouse gas emissions reduction goals and procurement standards consider these market and fiscal barriers to transition; and

WHEREAS, The Climate Action Council has approved a Scoping Plan which is to be the roadmap for state agencies to develop and promulgate regulation to implement the transition to a carbon-free economy and the aggressive transition to electrification of the transportation system; and

WHEREAS, All levels of government need to work together throughout the regulatory process to assure strategies and mandates put in place to meet the CLCPA goals for the transportation sector are realistic and achievable and will benefit the environment; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor, the Department of Transportation (NYSDOT) and the Department of Environmental Conservation (NYSDEC) Commissioners and Legislative Leaders to commit to providing support for addressing these concerns in the regulatory process and to dedicate the funding necessary to fully cover the counties' costs of complying with the state mandates under the CLCPA; and be it

FURTHER RESOLVED, Recognizing the expertise of local highway professionals, an advisory group be established jointly by NYSDOT and NYSDEC made up of representatives of the municipal highway superintendents' and commissioners of public works' organizations to review and recommend proposals and policies for meeting the goals of the CLCPA before they are implemented or published in the State Register; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#35

RESOLUTION NO. 23-222
(April 11, 2023)

By Mr. Leuer, Vice-Chairman of the Public Works Committee:

ANNUAL HIGHWAY MATERIALS BIDS APPROVED

BE IT RESOLVED, That the attached yearly County Highway material bids are hereby approved effective April 2, 2023 through April 1, 2024; 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 in the bid documents ***attached*** hereto and made party hereof pursuant to section 103 of the General Municipal Law.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#36

RESOLUTION NO. 23-223
(April 11, 2023)

By Mr. Leuer, Vice-Chairman of the Public Works Committee:

CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF BUILDINGS AND GROUNDS

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

- ***Harding Plumbing & Heating, Inc.,*** 34 North Main Street, Perry, NY 14530 on behalf of Building and Grounds. Said contract is for emergency repairs to HVAC units at various county buildings in an amount not to exceed twenty thousand dollars ($20,000.00); effective March 23, 2023 through December 31, 2023. *(Munis #1422)*
- ***U&S Services, Inc., a Stark Tech Group Company,*** 95 Start Street, Tonawanda, NY 14150 for the installation of temperature controls on the new make-up air unit at the Wyoming County Jail in an amount not to exceed twelve thousand dollars ($12,000.00); effective March 30, 2023 through project completion***.*** *(Munis #XXX)*
- ***MJ Mechanical Services, Inc.***, 95 Pirson Parkway, Tonawanda, NY 14150 for emergency repairs to the cooling tower located at the Public Safety building in an amount not to exceed fifty-two thousand dollars ($52,000.00); effective March 9, 2023 through December 31, 2023***.*** *(Munis #1446)*

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#37

RESOLUTION NO. 23-224
(April 11, 2023)

By Mr. Leuer, Vice-Chairman of the Public Works Committee:

CHAIRMAN AUTHORIZED TO AWARD BIDS AND SIGN VARIOUS CONTRACTS ON BEHALF OF BUILDINGS AND GROUNDS

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 various contracts on behalf of Building and Grounds as follows:

- ***ALPS Elevator Inspection Services, Inc.,*** PO Box 605, Buffalo, NY 14207 for third party inspections of elevators at various county buildings in an amount not to exceed two thousand dollars ($2,000.00) per year for a total contract amount not to exceed twenty thousand dollars ($20,000.00); effective August 1, 2022 through July 31, 2032. *(Munis CO #718)*
- ***Parise Mechanical, Inc.,*** 1106 Sheridan Drive, Tonawanda, NY 14150 for the purchase and installation of the new makeup air unit at the Wyoming county Jail in an amount not to exceed two hundred one thousand six hundred dollars ($201,600.00); effective March 30, 2023 through the completion of the project. ***(****Munis #XXX)*

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#38

RESOLUTION NO. 23-225
(April 11, 2023)

By Mr. Leuer, Vice-Chairman of the Public Works Committee:

COURTHOUSE CAMPUS PAVING CAPITAL IMPROVEMENT PROJECT ESTABLISHED AND TRANSFERRING FUNDS THEREFORE ON BEHALF OF BUILDINGS AND GROUNDS

WHEREAS, The Wyoming County Board of Supervisors' Public Works Committee, Finance Committee and this Board of Supervisors, in consultation with the Buildings and Grounds Department, through discussion during these committee meetings has identified the need to complete various parking lot repairs; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, on the recommendation of the aforementioned committees, hereby establishes the ***Courthouse Campus Paving Capital Improvement Project*** in an amount not to exceed one hundred twenty thousand dollars ($120,000.00); and be it

FURTHER RESOLVED, That funds are hereby transferred as follows:

CIP			
From: 129950.599504 Transfer to CIP **To:** 121620.521002.CC Prop. Reno. Courthouse Campus **Reason:** To establish Courthouse Campus Paving Capital Improvement Project.	$120,000.00	$120,000.00	
CIP Total			**$120,000.00**

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington)
187 (Perry)
240 Total **Abstain:**

There was a motion by Mrs. May, T/Orangeville, to combine resolutions #39 and #50. Hearing no objection, resolution titles only were read.

#39

RESOLUTION NO. 23-226
(April 11, 2023)

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

RESOLUTION CALLING ON GOVERNOR KATHY HOCHUL TO RESTORE THE STATE-COUNTY SHARE OF THE COST OF 730.20 COMPETENCY RESTORATION SERVICES AND MAKE REFORMS TO THE PROGRAM BY ENACTING S.7461-A (BROUK) / A.8402-A (GUNTHER)

WHEREAS, The SFY 2020-21 budget required counties to pay 100 percent of the Office of Mental Health (OMH) State Operations costs for individuals receiving court-ordered mental health competency restoration services at State-operated Forensic Psychiatric Centers; and

WHEREAS, Historically, counties paid 50 percent of the per diem rate set by OMH, which has now reached an unsustainable cost burden on county budgets; and

WHEREAS, The derivation of Section 43.03 of Mental Hygiene Law (MHL), dates back to 1907 and allows the State to offset the costs of operating its Forensic Psychiatric Centers at county expense; and

WHEREAS, This statute no longer reflects the current mental hygiene system or the New York State Unified Court System and needs to be updated to be consistent with other statutes that makes the State responsible for its costs for the treatment of mentally ill individuals in State-operated Forensic Psychiatric Centers; and

WHEREAS, OMH has also taken the position that the county mental health commissioners are to receive limited information on the clients ordered to restoration; and

WHEREAS, As the full payors of these services, the commissioners must have timely access to any pertinent client information as deemed necessary to effectively manage their responsibilities under the mental hygiene law; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State to restore the historic 50/50 state/county share of mental health competency restoration services and enact permanent reforms by enacting S.7461-A (Brouk) / A.8402-A (Gunther); and be it

FURTHER RESOLVED, Counties must be allowed to participate in the restoration and planning process for an individual's restorative care during the duration of their stay at an OMH facility; and be it

FURTHER RESOLVED, There must be a statutory timeframe and determination as to when an individual is unable to be restored through forensic services (CPL § 730.50); and be it

FURTHER RESOLVED, That the Criminal Procedure Law (CPL) § 730.10 be modified to make clear that restoration is not mental health treatment so the judiciary is better informed that a 730 order does not treat underlying mental health needs; and be it

FURTHER RESOLVED, CPL § 730.20 must be reformed to establish specific criteria for 730 examiners, streamlining the process to establish equity across the system, and that the psychiatrist or psychologist conducting the psychiatric exam tells the court whether or not there is a reasonable chance of restoration, thereby granting the court an opportunity to allow diversion to mental health treatment; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls on the state to ensure county directors of community services have timely access to any patient clinical information necessary to effectively manage the county directors of community services' responsibilities under mental hygiene law; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington)
187 (Perry)
240 Total
Abstain:

#40

RESOLUTION NO. 23-227
(April 11, 2023)

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

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

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

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

WHEREAS, State funding for Probation was drastically reduced between 1990 and 2015 from a 46.5 percent State share in 1990 to less than 10 percent in 2023, putting a huge strain on counties and cost to county property taxpayers; and

WHEREAS, At the same time there have been increases in the number of mandated programs and services County Probation Departments are required to provide; and

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

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

1. In response to Raise The Age legislation:
   - Mandate that the state's evidence-based criteria should account for existing local best practice programs.
   - Allow probation the ability to make an application for a temporary order of protection as a part of the adjustment process.
   - Authorize law enforcement agencies to issue appearance tickets if deemed appropriate by the arresting officer, instead of physical arrest, when adolescent offenders and juvenile offenders are charged with most d felonies.
   - Allow law enforcement agencies to deliver adolescent offenders and juvenile offenders to be held in detention facilities after hours without a securing order until the youth part is in session.
2. Establish a dedicated funding stream through DCJA/OPCA for 100 percent of all local probation costs including but not limited to probation personnel and evidence-based programming associated with Raise The Age legislation.
3. Eliminate the requirement of a sentence of conditional discharge or probation for leandra law cases when a defendant has been sentenced to a definite jail term or a term of imprisonment.

4. Local probation departments receive 100 percent state reimbursement of all pre-trial services costs including but not limited to probation personnel associated with bail reform.
5. That the executive chamber and the Office of Children and Families services (OCFS) work towards transitioning some of the closed OCFS or department of correctional and community supervision facilities to accommodate the lack of specialized secure detention beds as well as allowing county consortiums to open specialized secure detention facilities if desired.

And be it,

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator George Borrello, New York State Assemblyman David DiPietro, New York State Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#41

RESOLUTION NO. 23-228
(April 11, 2023)

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

CHAIRMAN AUTHORIZED TO ACCEPT THE NEW YORK STATE OFFICE OF GENERAL SERVICES VEHICLE MARKETPLACE BID AND SIGN A CONTRACT WITH JOE CECCONI'S CHRYSLER COMPLEX ON BEHALF OF THE SHERIFF'S DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to accept the following New York State Office of General Services Vehicle Marketplace bids and sign contracts on behalf of the Sheriff's Department:

- ***Joe Cecconi's Chrysler Complex,*** 2380 Military Road, Niagara Falls, NY 14304
  - Mini-Bid No. 12792 for three (3) Marked 2023 Dodge Charger Police Units in an amount not to exceed thirty-six thousand eight hundred seventy-one dollars and thirty-nine cents ($36,871.39) per vehicle for a total amount not to exceed one hundred ten thousand six hundred fourteen dollars and seventeen cents ($110,614.17); effective April 1, 2023 through delivery of vehicles. *(Munis #1437)*
  - Mini-Bid No. 12794 for one (1) Unmarked 2023 Dodge Charger Police Unit in an amount not to exceed thirty-six thousand eight hundred seven dollars and forty cents ($36,807.40); effective April 1, 2023 through delivery of vehicle. *(Munis #1438)*

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#42

RESOLUTION NO. 23-229
(April 11, 2023)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH EM SYSTEMS ON BEHALF OF THE COUNTY JAIL

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***EM Systems,*** 4043 Maple Road, Amherst, NY 14226 on behalf of the County Jail. Said contract is for software upgrades, updates and support for the Jail Management System in an amount not to exceed twenty-nine thousand seven hundred dollars ($29,700.00); effective April 1, 2023 through March 31, 2026. Contingent upon the availability of funds. *(Munis #1359)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#43

RESOLUTION NO. 23-230
(April 11, 2023)

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

RESOLUTION NUMBER 22-370 AMENDED

WHEREAS, Resolution Number 22-370 entitled, **"CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH IDEMIA ON BEHALF OF THE COUNTY JAIL,"** passed by this Board of Supervisors on July 12, 2022 and provides for Livescan software and supporting equipment upgrades for the jail finger printing system in an amount not to exceed twenty-one thousand three hundred forty-seven dollars ($21,347.00); effective July 1, 2022 through December 31, 2022; now therefore,

BE IT RESOLVED, That ***Resolution Number 22-370*** be hereby amended to reflect a contract end date of ***June 30, 2023.*** All else remains the same. *(Munis CO #570)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**

187 (Perry)
240 Total

#44

RESOLUTION NO. 23-231
(April 11, 2023)

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

RESOLUTION NUMBER 03-125 AMENDED

WHEREAS, Resolution Number 03-125 entitled, **"CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SINCLAIR PHARMACY ON BEHALF OF THE WYOMING COUNTY SHERIFF'S DEPARTMENT,"** passed by this Board of Supervisors on April 8, 2003 and provides for pharmaceutical services for the Wyoming County Jail in an amount per the language of the contract; now therefore,

BE IT RESOLVED, That ***Resolution Number 03-125,*** as previously amended, be hereby further amended to reflect a contract extension term of ***April 1, 2023 through March 31, 2024.*** All else remains the same. *(Munis CO #1149)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#45

RESOLUTION NO. 23-232
(April 11, 2023)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WILMAC BUSINESS EQUIPMENT CO., INC. ON BEHALF OF 9-1-1

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 ***Wilmac Business Equipment Co., Inc.,*** 73 State Street, Rochester, NY 14614 on behalf of 9-1-1. Said contract is for software maintenance of the NICE equipment in an amount not to exceed thirty-five thousand nine hundred ninety-five dollars and ($35,995.00); effective June 1, 2023 through March 31, 2026. Contingent upon the availability of funds. *(Munis #1414)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#46

RESOLUTION NO. 23-233
(April 11, 2023)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH NEW YORK STATE STOP-DWI FOUNDATION ON BEHALF OF STOP DWI

WHEREAS, During the September 29, 2022 Public Safety Committee Meeting, approval was granted for the submission of this grant application; now therefore

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 acceptance award with the ***New York State STOP DWI Foundation,*** New York State Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, NY 12228 on behalf of Stop DWI. Said grant funding for high visibility engagement campaign in a minimum amount of seventeen thousand five hundred ($17,500.00); effective October 1, 2022 through September 30, 2023. *(Munis #1367)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#47

RESOLUTION NO. 23-234
(April 11, 2023)

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

RESOLUTION NUMBER 22-602 AMENDED

WHEREAS, Resolution Number 22-602 entitled, **"CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CIVICPLUS ON BEHALF OF EMERGENCY SERVICES,"** passed by this Board of Supervisors on November 8, 2022 and provides for a domestic terrorism threat reporting domain to include hosting setup and management in an amount not to exceed sixteen thousand eight hundred three dollars ($16,803.00); effective November 1, 2022 through October 31, 2024; now therefore,

BE IT RESOLVED, That ***Resolution Number 22-602*** be hereby amended to reflect an amount not to exceed of ***sixteen thousand eight hundred eighty-six thousand dollars and seventy-six cents ($16,886.76)***. All else remains the same. *(Munis CO #866)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#48

RESOLUTION NO. 23-235
(April 11, 2023)

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

RESOLUTION NUMBER 20-133 AMENDED

WHEREAS, Resolution Number 20-133 entitled, **"CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH TARGET SOLUTIONS LEARNING, LLC ON BEHALF OF EMERGENCY SERVICES**" passed by this Board of Supervisors on March 10, 2020 and provides for an online Emergency Medical Services Continuing Education Program for basic life support providers in an amount not to exceed thirteen thousand four hundred sixty-five dollars ($13,465.00) annually; effective March 31, 2020 with automatic annual renewals until written notice of intent to terminate, by either party, is received; now therefore,

BE IT RESOLVED, That ***Resolution Number 20-133*** be hereby amended to terminate this contract effective April 7, 2023. *(Munis #571)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#49

RESOLUTION NO. 23-236
(April 11, 2023)

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

CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT APPLICATIONS AND ACCEPTANCE AWARDS ON BEHALF OF EMERGENCY SERVICES

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign various grant applications and acceptance awards on behalf of Emergency Services as follows:

- ***The Firefighters Association of the State of New York (FASNY),*** 107 Washington Avenue, Albany, NY 12210 for the funding of the 2023 RecruitNY Open House Weekend Campaign in a minimum amount of five hundred dollars ($500.00); effective April 21, 2023 through April 23, 2023. *(Munis #XXX)*

- ***New York State Division of Homeland Security and Emergency Services***, 1220 Washington Avenue, Building 7A, Suite 710, Albany, NY 12242 for FY2023 Emergency Management Performance (in-kind) Grant in a minimum amount of nineteen thousand two hundred sixty-eight dollars ($19,268.00); effective October 1, 2022 through September 30, 2025. *(Munis #1436)*

- ***New York State Division of Homeland Security and Emergency Services***, 1220 Washington Avenue, Building 7A, Suite 710, Albany, NY 12242 for FY2023 State Homeland Security Program (SHSP) in a minimum amount of fifty-nine thousand seven hundred fifty dollars ($59,750.00); effective September 1, 2023 through August 31, 2026. *(Munis #1442)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#50

RESOLUTION NO. 23-237
(April 11, 2023)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES - OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES ON BEHALF OF WYOMING COUNTY PROBATION

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 Criminal Justice Services – Office of Probation and Correctional Alternatives,*** Alfred E. Smith Building, 80 South Swan Street, Albany, NY 12210 on behalf of Wyoming County Probation. Said grant funding for *Alternatives to Incarceration Programs* in a minimum amount of seventeen thousand three hundred fifty-five dollars ($17,355.00); effective July 1, 2023 through June 30, 2024. *(Munis #1411)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

There was a motion by Mr. Kehl, T/Attica, to combine resolutions #51 through #64. Supervisor Roberts, T/Genesee Falls indicated she would be abstaining from resolutions #58 through #64. Resolutions #51 through #57 will be voted on first and then another vote on resolutions #58 through 64. Hearing no further objections, resolution titles only were read.

#51

RESOLUTION NO. 23-238
(April 11, 2023)

By Mr. Kehl, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF INFORMATION TECHNOLOGY

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

- ***ESRI, Inc. (Environmental Systems Research Institution),*** 380 New York Street, Redlands, CA 92373 for the annual renewal of GIS licenses and maintenance in an amount not to exceed eleven thousand one hundred dollars ($11,100.00); effective June 15, 2023 through June 14, 2024. *(State Contract PM67345) (Munis #1418)*
- ***Matrix Communications***, 17 Technology Place, Syracuse, NY 13057 to provide legacy phone maintenance and programming services throughout various county buildings in an amount not to exceed fifteen thousand dollars ($15,000.00); effective January 1, 2023 through December 31, 2023. *(Munis #1447)*

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington)
187 (Perry)
240 Total
Abstain:

#52

RESOLUTION NO. 23-239
(April 11, 2023)

By Mr. Kehl, 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.

And,

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276 was further amended by ***Resolution Number 18-385*** by this Board of Supervisors on September 11, 2018 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; and

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276 and Resolution Number 18-385 was further amended by this Board of Supervisor on February 12, 2019 by ***Resolution Number 19-091*** to change the contracting party name for the *APPLICATION HOSTING* and *TECHNOLOGY SUPPORT SERVICES* contract from Conduent Government Systems to ***Avenue Insights and Analytics, LLC,*** 5860 Trinity Parkway, Suite 120, Centerville VA as this business has been sold; and

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091 was further amended by this Board of Supervisors on October 13, 2020 by ***Resolution Number 20-425*** to include the ***addition of conversion services system in an amount not to exceed forty thousand dollars ($40,000.00) and extend the term of the*** *APPLICATION HOSTING* ***contract through December 31, 2021;*** and

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091 and Resolution Number 20-425 was further amended by this Board of Supervisors on November 10, 2020 by ***Resolution Number 20-478*** to extend the *TECHNOLOGY SUPPORT SERVICES* contract to extend the contract term ***through March 31, 2021 in an amount not to exceed forty-eight thousand dollars ($48,000.00);*** and

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091, Resolution Number 20-425 and Resolution Number 20-478 was further amended by this Board of Supervisors on March 9, 2021 by ***Resolution Number 21-125*** to ***extend the contract term for conversion services and contract extension of various systems in an amount not to exceed forty-eight thousand dollars ($48,000.00); effective April 1, 2021 through June 30, 2021;*** and

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091, Resolution Number 20-425, Resolution Number 20-478 and Resolution Number 21-125 was further amended by this Board of Supervisors on July 13, 2021 by ***Resolution Number 21-330*** to ***extend the contract term for conversion services and contract extension of various systems in an amount not to exceed forty-eight thousand dollars ($48,000.00); effective July 1, 2021 through September 30, 2021;*** and

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091, Resolution Number 20-425, Resolution Number 20-478, Resolution Number 21-125 and Resolution Number 21-330 was previously amended by this Board of Supervisors on December 14, 2021 by ***Resolution Number 21-569*** to ***extend the contract term for conversion services and contract extension of***

various systems in an amount not to exceed ninety-six thousand dollars ($96,000.00); effective October 1, 2021 through March 31, 2022; and

WHEREAS, *That Resolution Number 21-125* was ***rescinded in its entirety by Resolution Number 22-144; effective March 9, 2021*** as the contract amendment authorized by same was not executed and was replaced by the contract amendment authorized by Resolution Number 21-330; and

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091, Resolution Number 20-425, Resolution Number 20-478, Resolution Number 21-330 and Resolution Number 21-569 was further amended by this Board of Supervisors on March 8, 2022 by ***Resolution Number 22-144 to extend the contract term for conversion services and contract extension of various systems in an amount not to exceed forty-eight thousand dollars ($48,000.00); effective April 1, 2022 through September 30, 2022;*** and

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091, Resolution Number 20-425, Resolution Number 20-478, Resolution Number 21-330, Resolution Number 21-569 and Resolution Number 22-144 was previously amended by this Board of Supervisors on September 13, 2022 by ***Resolution Number 22-473 to extend the term of the contract for conversion services of various systems in an amount not to exceed forty-one thousand five hundred thirty-nine dollars and sixty-eight cents ($41,539.68); effective October 1, 2022 through December 31, 2022;***

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091, Resolution Number 20-425, Resolution Number 20-478, Resolution Number 21-330, Resolution Number 21-569, Resolution Number 22-144 and Resolution Number 22-473 was previously amended by this Board of Supervisor on December 13, 2022 by ***Resolution Number 22-685 to extend the term of the contract for conversion services of various systems in an amount not to exceed forty-one thousand five hundred thirty-nine dollars and sixty-eight cents ($41,539.68); effective January 1, 2023 through March 31, 2023;*** now therefore

BE IT RESOLVED, That ***Resolution Number 15-386*** as previously amended by ***Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091, Resolution Number 20-425, Resolution Number 20-478, Resolution Number 21-125, Resolution Number 21-330, Resolution Number 21-569, Resolution Number 22-144, Resolution Number 22-473*** and ***Resolution Number 22-685*** be hereby further amended to ***extend the term of the contract for conversion services of various systems in an amount not to exceed eighty-three thousand seventy-nine dollars and thirty-six cents ($83,079.36); effective April 1, 2023 through September 30, 2023.*** *(Munis CO#600)*
All else remains the same.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) 187 (Perry) **Abstain:**

240 Total

#53

RESOLUTION NO. 23-240
(April 11, 2023)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 22-375 AMENDED

WHEREAS, Resolution Number 22-375 entitled, **"CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS WITH SHI ON BEHALF OF INFORMATION TECHNOLOGY",** passed by this Board of Supervisors on July 12, 2022 as provides for various contracts, in part, as follows:

- Veeam software and support in an amount not to exceed five thousand six hundred eighty-three dollars and thirty cents ($5,683.30); effective from September 22, 2022 through September 21, 2023.

Now therefore,

BE IT RESOLVED, That ***Resolution Number 22-375*** be hereby further amended as to increase the contract amount by five hundred sixteen dollars and sixty-eight cents ($516.68) for a total contract amount not to exceed six thousand one hundred ninety-nine dollars and ninety-eight cents ($6,199.98). All else remains the same. *(Munis CO #598)*

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#54

RESOLUTION NO. 23-241
(April 11, 2023)

By Mr. Kehl, Chairman of the Finance Committee:

SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. A YEAR 2023

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 11th day of April 2023, a proposed local law entitled, "Local Law Introductory No. A, Year 2023, **"A LOCAL LAW AMENDING LOCAL LAW NO. 7 OF THE YEAR 1976, COUNTY OF WYOMING, NEW YORK, MODIFYING THE WYOMING COUNTY PLAN OF APPORTIONMENT;"** and

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

BE IT RESOLVED, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the ***9th day of May, 2023 at 2:30 PM in the Supervisors' Chambers, 2nd Floor of the Wyoming County Government Center,*** 143 North Main Street, Warsaw, New York.

INTRODUCTORY LOCAL LAW NO. A - YEAR 2023

A Local Law entitled, "**A Local Law Amending Local Law No. 7 for the Year 1976, County of Wyoming, New York, Modifying the Wyoming County Plan of Apportionment"**

BE IT ENACTED by the Board of Supervisors of the County of Wyoming as follows:

SECTION 1. This local law hereby repeals local law number 1 of 2012, entitled, "Amending Local Law #7 for the Year 1976, County of Wyoming, New York, Modifying the Wyoming County Plan Apportionment;"

SECTION 2. Paragraph 3 of Local Law No. 7 of the County of Wyoming, Year 1976, is hereby deleted and the following paragraph 3 is substituted therefore:

3. The apportionment of the voting strength of the members of the Board of Supervisors shall be determined by the 2020 federal census in the County of Wyoming, until the next decennial federal census. On and after the effective date of this local law and continuing until the next decennial federal census unless an official county census shall be made sooner, each Supervisor elected within the respective towns of Wyoming County shall be entitled to the following number of votes on any resolution, Local Law, motion or proposal to be voted on by the Board of Supervisors, to wit:

Town	Population (PL94-171)	Population (LATFOR)	Simple Majority & 2/3 Majority No. of Votes
Arcade	4187	4195	22
Attica	5790	3708	20
Bennington	3235	3239	17
Castile	2711	2715	15
Covington	1253	1254	7
Eagle	1105	1112	6
Gainesville	2009	2020	11
Genesee Falls	402	403	2
Java	1972	1976	11
Middlebury	1339	1340	7
Orangeville	1283	1285	7
Perry*	5832	4901	26
Pike	975	975	6

Sheldon	2367	2368	13
Warsaw	5316	5325	27
Wethersfield	755	758	4
TOTAL	40531	37574	201
**LATFOR Population Reflects CQR Challenge of block 361219706003018 (From 965 to 23)*			

SECTION 3. This Local Law shall become effective on the day that it is filed in the office of the Secretary of the State of New York.

DATED at Warsaw, New York
April 11, 2023 (Introduced)
Cheryl J. Ketchum, Clerk

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#55

RESOLUTION NO. 23-242
(April 11, 2023)

By Mr. Kehl, Chairman of the Finance Committee:

SALARY SCHEDULE "S" AND "F&G" AMENDED

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

Salary Schedule "S":

County Historian

- Set the hourly wage for one (1) position of ***Assistant County Historian*** (position code 001.081) at $19.45/hr. (annual salary equivalent of $35,399.00) to correct inequity in organizational structure; effective April 12, 2023.

Salary Schedule "F&G":

Emergency Services

- To provide stipends plus corresponding fringe for the following positions:
  - ***Administrative Assistant (EMS)*** (position code 010.435) at $1,000.00
  - ***Public Health Corps Fellow*** (position code 154.642) at $2,000.00
    - Said amounts are annual; effective March 18, 2023 through August 31, 2024.
    - Funds provided through the 2022 (DTP) Domestic Terrorism Prevention Grant.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**

187 (Perry)
240 Total

#56

RESOLUTION NO. 23-243
(April 11, 2023)

By Mr. Kehl, Chairman of the Finance Committee:

POSITION(S) CREATED

BE IT RESOLVED, That the following positions are hereby CREATED in the following Wyoming County Department:

CREATED:

Sheriff

- One (1) position of ***Administrative Assistant (Sheriff)*** (1.00 FTE) and place on Salary Schedule "S"; position available date is April 12, 2023.

Jail

- Two (2) positions of ***Correction Officer, PT*** at an hourly range of $23.80-$26.02 per hour following the WCSEA Agreement to replace positions that sunset in March of 2022; position available date is April 12, 2023.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)
240 Total

#57

RESOLUTION NO. 23-244
(April 11, 2023)

By Mr. Kehl, Chairman of the Finance Committee:

POSITION(S) EXTENDED

BE IT RESOLVED, That the following positions are hereby EXTENDED in the following Wyoming County Department:

EXTENDED:

Sheriff

- One (1) position of ***Deputy Sheriff, PT*** (position code 052.504) WCDSA Agreement, Grade 4, hourly range of $28.06-$30.24; vacant position since January 27, 2022, extend two (2) years.

Carried: XXX **Ayes:** 1359 **Noes:** **Absent:** 53 (Covington) **Abstain:**
187 (Perry)

240 Total

#58

RESOLUTION NO. 23-245
(April 11, 2023)

By Mr. Kehl, Chairman of the Finance Committee:

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

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

- ***Barclay Water Management, Inc.***, 55 Chapel Street, Newton, MA 02458
    - For a monochloramine technology (iChlor) agreement for supplemental disinfection of potable water for the facility in an amount not to exceed ninety-five thousand four hundred dollars ($95,400.00); effective May 1, 2023 through April 30, 2026.
    - To provide regulatory testing, chemicals and reporting for cooling tower, closed loop system and boiler treatment for the Hospital and SNF in an amount not to exceed eighty-three thousand four hundred twenty dollars and ninety-four cents ($83,420.94); effective July 1, 2023 through June 30, 2026.
- ***Tallavera, LLC***, 19 Cambridge Street, Rochester, NY 14607 for the recruiting of direct hires at WCCHS. WCCHS to pay 18% of annual salary in an amount not to exceed one hundred fifty dollars ($150,000.00) per year; effective April 1, 2023 through March 31, 2024.
- ***Stericycle, Inc.***, 2355 Waukegan Road, Bannock, IL 60015
    - For the proper disposal of any and all hazardous items, including but not limited to, pharmaceuticals, mercury containing items, chemicals, oils, etc. in an amount not to exceed eighteen thousand four hundred fifty-seven dollars and two cents ($18,457.02) per year for a total contract amount not to exceed fifty-five thousand three hundred seventy-one dollars and seven cents ($55,371.07); effective February 2, 2023 through February 1, 2026.
    - For the proper handling and disposal of any and all sharps in an amount not to exceed twenty-five thousand five hundred ninety-one dollars and eight cents ($25,591.08) for a total contract amount not to exceed seventy-six thousand seven hundred seventy-three dollars and twenty-four cents ($76,773.24); effective February 2, 2023 through February 1, 2026.
- ***American Data Network***, 10809 Executive Center Drive, Searcy Building, Suite 300, Little Rock, AR 72211 for chart abstracting services for quality measures, including core

measures in compliance with CMS, Joint Commission, or any other governmental agency in an amount not to exceed fifty thousand dollars ($50,000.00) per year; effective November 8, 2022 through November 7, 2025**.**

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1340 **Noes:** **Absent:** 53 (Covington) **Abstain:** 19 (Genesee Falls)
187 (Perry)
240 Total

#59

RESOLUTION NO. 23-246
(April 11, 2023)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 18-204 AMENDED

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

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

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

And,

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

WHEREAS, That Resolution Number 18-204 as previously amended by Resolution Number 18-241 was further amended by this Board of Supervisors on March 12, 2019 by ***Resolution Number 19-158*** as follows:

- ***Morrison Community Living,*** 400 Northridge Road, Suite 600, Atlanta, GA 30350
    - Amend the management fee of eighty-five thousand dollars ($85,000.00) per year plus annual expenses of staff and other direct costs incurred in an amount not to exceed two million dollars ($2,000,000.00) per year to a ***management fee in an***

amount not to exceed eighty thousand dollars ($80,000.00) per year plus annual expenses of staff and other direct costs incurred in an amount not to exceed two million dollars ($2,000,000.00) per year.

- Amend the effective date of the contract from May 1, 2018 through April 30, 2023 to ***April 1, 2019 through March 31, 2024.***
- Extend the term of the agreement to sublet approximately five hundred (500) square feet of office space from October 1, 2017 through December 31, 2018 to ***January 1, 2019 through December 31, 2020.***

And,

WHEREAS, That Resolution Number 18-204 as previously amended by Resolution Number 18-241 and Resolution Number 19-158 was further amended by this Board of Supervisors on June 11, 2019 by ***Resolution Number 19-283*** to correct the ***Morrison Community Living*** contract dates from April 1, 2019 through March 31, 2024 to ***May 1, 2019 through April 30, 2024;*** now therefore

BE IT RESOLVED, That Resolution Number 18-204 as previously amended by ***Resolution Number 18-241, Resolution Number 19-158*** and ***Resolution Number 19-283*** be hereby further amended as follows:

- Change the contracting party name to ***Morrison Management Specialists, Inc.***
- Change the management fee not to exceed $80,000.00 per year plus annual expenses of staff and other direct costs incurred not to exceed 2,000,000.00 per year **to *the management fee not to exceed $85,000.00 per year plus annual expenses of staff and other direct costs incurred not to exceed 2,000,000.00 per year, plus $35,000.00 for equipment upgrades.***
- Extend the term from May 1, 2019 through April 30, 2024 to ***May 1, 2023 through April 30, 2028***.

All else remains the same.

Carried: XXX **Ayes:** 1340 **Noes:** **Absent:** 53 (Covington) **Abstain:** 19 (Genesee Falls)
187 (Perry)
240 Total

#60

RESOLUTION NO. 23-247
(April 11, 2023)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 20-337 AMENDED

WHEREAS, Resolution Number 20-337 entitled, **"CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH GENERAL PHYSICIAN, PC (GPPC) ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,** was passed by this Board of Supervisors on August 11, 2020 to provide inpatient cardiology services in an amount not to exceed one hundred fifty thousand dollars ($150,000.00) per year; effective November 1, 2020 through October 31, 2022; now therefore

BE IT RESOLVED, That ***Resolution Number 20-337*** be hereby amended as follows:

- Extend the term of this agreement from November 1, 2020 through October 31, 2022 to ***November 1, 2022 through January 31, 2023.***
- Increase the not to exceed amount ***to two hundred twenty-five thousand dollars ($225,000.00) for the period of July 1, 2021 through January 31, 2023***.

All else remains the same.

Carried: XXX **Ayes:** 1340 **Noes:** **Absent:** 53 (Covington) **Abstain:** 19 (Genesee Falls)
187 (Perry)
240 Total

#61

RESOLUTION NO. 23-248
(April 11, 2023)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 22-250 AMENDED

WHEREAS, Resolution Number 22-250 entitled, **"HOSPITAL ADMINISTRATOR (OR APPOINTED DESIGNEE) AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,** was passed by this Board of Supervisors on April 12, 2022 and provides for various contracts, in part, as follows:

- ***Weatherby Locums, Inc.,*** 6451 N. Federal Highway, Suite 800, Ft. Lauderdale, FL 33308 for physician locum tenens coverage in an amount not to exceed two hundred

  thousand dollars ($200,000.00); effective March 2, 2022 through March 21, 2023.

And,

WHEREAS, That Resolution Number 22-250 was previously amended by this Board of Supervisors on September 13, 2022 by ***Resolution Number 22-481*** to increase the amount of the contract from two hundred thousand dollars ($200,000.00***) to an amount not to exceed two hundred sixty thousand dollars ($260,000.00);*** and

WHEREAS, That Resolution Number 22-250 as previously amended by Resolution Number 22-481 was further amended by this Board of Supervisors on November 8, 2022 by ***Resolution Number 22-626*** to increase the amount of the contract from two hundred thousand dollars ($200,000.00***) to an amount not to exceed two hundred sixty thousand dollars ($260,000.00);*** now therefore

BE IT RESOLVED, That ***Resolution Number 22-250*** as previously amended by ***Resolution Number 22-481*** and ***Resolution Number 22-626*** be hereby further amended as follows:

- Extend the term of the agreement from March 2, 2022 through March 21, 2023 to ***March 2, 2023 through March 21, 2024.***
- Amend the contract amount from two hundred sixty thousand dollars ($260,000.00) to an ***amount not to exceed two hundred thousand dollars ($200,000.00) per year.***

All else remains the same.

Carried: XXX **Ayes:** 1340 **Noes:** **Absent:** 53 (Covington) **Abstain:** 19 (Genesee Falls)
187 (Perry)
240 Total

#62

RESOLUTION NO. 23-249
(April 11, 2023)

By Mr. Kehl, Chairman of the Finance Committee:

POSITION(S) ABOLISHED

BE IT RESOLVED, That the following positions are hereby ABOLISHED in the following Wyoming County Department:

ABOLISHED:

Wyoming County Community Hospital

- One (1) position ***Director of Plant Operations*** (1.00 FTE) (position code 01.625.574) under PLANT MAINTENANCE and remove from Salary Schedule "C"; effective March 1, 2023.
- One (1) position ***Director of Education/Infection Prevention*** (1.00 FTE) (position code 01.633.675) under ACUTE QUALITY and removed from Salary Schedule "C"; effective April 15, 2023.

Carried: XXX **Ayes:** 1340 **Noes:** **Absent:** 53 (Covington) **Abstain:** 19 (Genesee Falls)
187 (Perry)
240 Total

#63
#62

RESOLUTION NO. 23-250
(April 11, 2023)

By Mr. Kehl, Chairman of the Finance Committee:

POSITION(S) CREATED

BE IT RESOLVED, That the following positions are hereby CREATED in the following Wyoming County Department:

CREATED:

Wyoming County Community Hospital

- One (1) position ***Director of Informatics and Nursing Education*** (1.00 FTE) (position Code TBD) under HOSPITAL INFORMATICS and set the salary at $110,316.00 per year on Salary Schedule "C"; position available date April 16, 2023.

- One (1) position of ***Infection Prevention/Assistant Nurse Educator*** (1.00 FTE) (position code TBD) under ACUTE QUALITY and set the salary at $93,600.00 per year on Salary Schedule "C"; position available date April 16, 2023.

Carried: XXX **Ayes:** 1340 **Noes:** **Absent:** 53 (Covington) **Abstain:** 19 (Genesee Falls)
187 (Perry)
240 Total

#64

RESOLUTION NO. 23-251
(April 11, 2023)

By Mr. Kehl, Chairman of the Finance Committee:

SALARY SCHEDULE "C" AMENDED

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

Salary Schedule "C":

Wyoming County Community Hospital

- Set the salary of one (1) position of ***Director of Education/Assistant Director of Nursing*** (1.00 FTE) (position code 02.902.685) under NURSING FACILITY ADMINISTRATION at $100,000.00 per year; position available date April 12, 2023.
- Set the salary of one (1) position of ***Infection Preventionist/Assistant Director of Nursing*** (1.00 FTE) (position code 02.901.684) under NURSING FACILITY

  ADMINISTRATION at $100,000.00 per year; position available date April 12, 2023.

Carried: XXX **Ayes:** 1340 **Noes:** **Absent:** 53 (Covington) **Abstain:** 19 (Genesee Falls)
187 (Perry)
240 Total

Chairwoman Ryan, T/Warsaw brought attention to the community flyer at the back of the agenda along with this month's featured veteran/veteran family-owned business ~

- *Weeks Funeral Home*
  - *Owned and Operated by Brian Kaczmarek ~ Army 1st Sergeant and Iraq Veteran*

There being no further business to come before this Board, Senior Supervisor Berwanger,

T/Arcade adjourned the meeting at 3:14 PM with a rap on his desk.

****

Respectfully submitted,

Cheryl J. Ketchum, CMC
Clerk to the Board

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