

Mon., Feb. 12, 2013	Committee of the Whole	1:00 PM
“ “ “	Regular Board Meeting	2:30 PM
“ “ “	Audit Committee	TBA
Thu., Feb. 21, 2013 <i>Note new date</i>	WCCH – Finance <i>Thursday before Full Board Meeting ~ Wyoming Suite</i>	8:00 AM <i>Note new time</i>
Tue., Feb. 26, 2013	Human Resource Committee	9:00 AM
“ “ “	Audit Committee	TBA
“ “ “	Human Services Committee	10:30 AM
“ “ “	WCCH – Full Board of Managers Meeting <i>Last Tuesday of the Month</i> <i>(dinner served in the suite at 6:00 PM) Wyoming Suite</i>	5:00 PM
Wed., Feb. 27, 2013	Public Health Committee	9:00 AM
“ “ “	Agriculture Committee	<i>Immediately following Public Health</i> 11:00 AM
“ “ “	Planning / Green Energy Committee	1:00 PM
Thu., Feb. 28, 2013	Public Safety Committee	9:00 AM
“ “ “	Public Works Committee	1:00 PM
Tue. Mar. 5, 2013	Finance Committee	9:00 AM
Tue., Mar. 12, 2013	Annual Farm Bureau Business Meeting and Luncheon <i>(Valley Chapel, Warsaw NY)</i>	10:00 AM
“ “ “	Committee of the Whole	TBA
“ “ “	Regular Board Meeting	2:30 PM
“ “ “	Audit Committee	<i>Immediately following Board Mtg.</i>

~Access updates to this calendar at www.wyomingco.net under Calendars~

AGENDA
REGULAR MONTHLY MEETING
Tuesday, February 12, 2013
Wyoming County Government Center
Warsaw, New York

CALL TO ORDER

PLEDGE OF ALLEGIANCE TO THE FLAG ~

*Larry Rogers, T/Pike

COMMUNICATIONS

None

Finance Committee:

*Resolution No. 1, By Mr. Kushner, Chairman of the Finance Committee:
Funds Transferred to Various 2012 Accounts

*Resolution No.2, By Mr. Kushner, Chairman of the Finance Committee:
Funds Transferred to Various 2013Accounts

*Resolution No.3, By Mr. Kushner, Chairman of the Finance Committee:
Funds Appropriated to Various 2012 Accounts

*Resolution No.4, By Mr. Kushner, Chairman of the Finance Committee:
Funds Appropriated to Various 2013 Accounts

Audit Committee:

Presentation of Monthly Expenditures by Mr. Knab, Chairman of the Audit Committee

Human Services Committee:

*Resolution No. 5, By Mrs. Totline, Chairman of the Human Services Committee:
Rebecca Ryan and Jean Totline Appointed/Reappointed to the Office For the Aging
Advisory Council

*Resolution No. 6, By Mrs. Totline, Chairman of the Human Services Committee:
David Rumsey and James Fleischman Reappointed to the 2-1-1 Advisory Board

*Resolution No. 7, By Mrs. Totline, Chairman of the Human Services Committee:
Resolution Number 12-250 Amended

Public Health Committee:

*Resolution No. 8, By Mrs. Ryan, Chairman of the Public Health Committee:
Rebecca Ryan and Edward Piechocki Appointed/Reappointed to the Wyoming County
Board of Health

*Resolution No. 9, By Mrs. Ryan, Chairman of the Public Health Committee:
Chairman/Commissioner of Health Authorized to Sign Various Contracts on Behalf of
the County Health Department

*Resolution No. 10, By Mrs. Ryan, Chairman of the Public Health Committee:
Resolution Number 13-23 Amended

*Resolution No. 11, By Mrs. Ryan, Chairman of the Public Health Committee:
Chairman/Commissioner of Health Authorized to Sign a Grant Application and
Acceptance Award on Behalf of the County Health Department
*(New York State Department of Health, Bureau of Communicable Disease
(Zoonoses Program))*

*Resolution No. 12, By Mrs. Ryan, Chairman of the Public Health Committee:
Rebecca Ryan Appointed to the Mental Health Community Services Board and Mental
Health Subcommittee

*Resolution No. 13, By Mrs. Ryan, Chairman of the Public Health Committee:
Reduction in Mental Health Petty Cash Approved

*Resolution No. 14, By Mrs. Ryan, Chairman of the Public Health Committee:
Chairman Authorized to Sign a Contract on Behalf of Mental Health
(Keegan Associates)

Joint Public Health/Public Safety Committee Resolution:

*Resolution No. 15, By Mrs. Ryan, Chairman of the Public Health Committee
and Mr. Rogers, Chairman of the Public Safety Committee:
Continuity of Operation/Continuity of Government Plan Adopted

Agriculture Committee:

*Resolution No. 16, By Mr. Brick, Chairman of the Agriculture Committee:
James Brick Reappointed to the Cornell Cooperative Extension Board of Directors

*Resolution No. 17, By Mr. Brick, Chairman of the Agriculture Committee:
Members Appointed/Reappointed to the Region 9 – Fish & Wildlife Management Board

*Resolution No. 18, By Mr. Brick, Chairman of the Agriculture Committee:
Members Reappointed to the Seneca Trail RC&D Council

*Resolution No. 19, By Mr. Brick, Chairman of the Agriculture Committee:
James Brick and John Knab Reappointed to the Soil & Water Conservation District
Board

CERTIFICATE OF APPRECIATION/NATIONAL 4-H DAIRY BOWL
N. Rudgers, T/Attica

Planning Committee:

*Resolution No. 20, By Mr. Fleischman, Chairman of the Planning Committee:
Approving Public Employees Fidelity (Blanket) Bond for Genesee/Finger Lakes
Regional Planning Council

*Resolution No. 21, By Mr. Mr. Fleischman, Chairman of the Planning Committee:
Bruce Camp Reappointed to the Wyoming County Industrial Development Agency
Board of Directors

*Resolution No. 22, By Mr. Mr. Fleischman, Chairman of the Planning Committee:
Chairman Authorized to Sign a Contact on Behalf of the Water Resource Agency
(The Brennan Group, LLC (Patrick Brennan))

*Resolution No. 23, By Mr. Mr. Fleischman, Chairman of the Planning Committee:
Chairman Authorized to Sign a Contract on Behalf of the Ag and Business Center of
Excellence
(William Maddison)

*Resolution No. 24, By Mr. Mr. Fleischman, Chairman of the Planning Committee:
E. Joseph Gozelski Reappointed to the Agricultural and Farmland Protection Board

- *Resolution No. 25, By Mr. Mr. Fleischman, Chairman of the Planning Committee:
Art Buckley Reappointed to the GLOW Solid Waste Planning Committee
- *Resolution No. 26, By Mr. Mr. Fleischman, Chairman of the Planning Committee:
Members Reappointed to the GLOW Regional Solid Waste Management Committee
- *Resolution No. 27, By Mr. Mr. Fleischman, Chairman of the Planning Committee:
Members Reappointed to the Glow Solid Waste Advisory Committee
- *Resolution No. 28, By Mr. Mr. Fleischman, Chairman of the Planning Committee:
Daniel Leuer Reappointed to the Arts Council Board of Directors
- *Resolution No. 29, By Mr. Mr. Fleischman, Chairman of the Planning Committee:
Douglas Patti and Stephen Tarbell Reappointed to the Business Education Council
- *Resolution No. 30, By Mr. Mr. Fleischman, Chairman of the Planning Committee:
Members Reappointed to the Genesee Finger Lakes Regional Planning Council
- *Resolution No. 31, By Mr. Mr. Fleischman, Chairman of the Planning Committee:
Karl Drasgow Appointed to the GLOW Workforce Investment Board

WYOMING COUNTY CHAMBER OF COMMERCE

\$25K SHOP WYOMING & WIN HOLIDAY SWEEPSTAKES DRAWING.

Public Safety Committee:

- *Resolution No. 32, By Mr. Rogers, Chairman of the Public Safety Committee:
Resolution Number 12-380 Amended
- *Resolution No. 33, By Mr. Rogers, Chairman of the Public Safety Committee:
Chairman Authorized to Sign a Contract on Behalf of the Sheriff's Office and County Jail
(United Uniform Company, Inc.,)
- *Resolution No. 34, By Mr. Rogers, Chairman of the Public Safety Committee:
Chairman Authorized to Sign Contract on Behalf of the Sheriff's Department
(Town of Covington)
- *Resolution No. 35, By Mr. Rogers, Chairman of the Public Safety Committee:
Opposing the Process of Enactment and Certain Provisions Contained Within the New York Safe Act
- *Resolution No. 36, By Mr. Rogers, Chairman of the Public Safety Committee:
Chairman Authorized to Sign a Contract on Behalf of the County Jail
(Simplex Grinnell)
- *Resolution No. 37, By Mr. Rogers, Chairman of the Public Safety Committee:
Farris Heimann Reappointed as Stop-DWI Coordinator, PT

*Resolution No. 38, By Mr. Rogers, Chairman of the Public Safety Committee:
Resolution of the Wyoming County Board of Supervisors in Support of Senate Bill S.95
and S.99 to Amend the Vehicle and Traffic Laws

*Resolution No. 39, By Mr. Rogers, Chairman of the Public Safety Committee:
Larry Rogers Reappointed to the Mercy Flight Citizens Advisory Committee

*Resolution No. 40, By Mr. Rogers, Chairman of the Public Safety Committee:
Chairman Authorized to Sign Grant Acceptance Awards on Behalf of Probation
(New York State Division of Criminal Justice Services)

*Resolution No. 41, By Mr. Rogers, Chairman of the Public Safety Committee:
Resolution Number 11-60 Amended

*Resolution No. 42, By Mr. Rogers, Chairman of the Public Safety Committee:
Chairman Authorized to Sign Various Contracts on Behalf of the Public Defender's
Office

Public Works Committee:

*Resolution No. 43, By Mr. Patti, Chairman of the Public Works Committee:
Resolution Number 12-286 Amended

*Resolution No. 44, By Mr. Patti, Chairman of the Public Works Committee:
Chairman Authorized to Sign a Contract on Behalf of the Wyoming County Community
Hospital Renovations Capital Improvement Project
(Clark Patterson Lee)

*Resolution No. 45, By Mr. Patti, Chairman of the Public Works Committee:
Chairman Authorized to Award Bid and Sign Contract on Behalf of County Highway
(_____)

*Resolution No. 46, By Mr. Patti, Chairman of the Public Works Committee:
Resolution Number 11-93 Amended

*Resolution No. 47, By Mr. Patti, Chairman of the Public Works Committee:
Resolution Number 13-31 Amended

Non-Consent

Resolution No. 48, By Mr. Patti, Chairman of the Public Works Committee:
Chairman Authorized to Sign Purchase Contract Re: Right of Way for HRRR –
Intersection Improvements

Finance Committee:

*Resolution No. 49, By Mr. Kushner, Chairman of the Finance Committee:
Position Creations Approved

*Resolution No. 50, By Mr. Kushner, Chairman of the Finance Committee:
Salary Schedule "C" Adopted

- *Resolution No. 51, By Mr. Kushner, Chairman of the Finance Committee:
Chairman Authorized to Sign a Contract on Behalf of the Wyoming County Insurance Office
(JTP Risk Consulting, LLC)
- *Resolution No. 52, By Mr. Kushner, Chairman of the Finance Committee:
Chairman Authorized to Sign a Contract on Behalf of the Wyoming County Insurance Office
(The Triad Group, LLC)
- *Resolution No. 53, By Mr. Kushner, Chairman of the Finance Committee:
Investment Policy Adopted
- *Resolution No. 54, By Mr. Kushner, Chairman of the Finance Committee:
Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System
- *Resolution No. 55, By Mr. Kushner, Chairman of the Finance Committee:
HIPAA Officers Reappointed
- *Resolution No. 56, By Mr. Kushner, Chairman of the Finance Committee:
Members Appointed/Reappointed to Inter-County of Western New York
- *Resolution No. 57, By Mr. Kushner, Chairman of the Finance Committee:
Joseph Kushner Reappointed to the Wyoming County Community Hospital Board of Managers
- *Resolution No. 58, By Mr. Kushner, Chairman of the Finance Committee:
Salary Schedules “S” and “G” Amended
- *Resolution No. 59, By Mr. Kushner, Chairman of the Finance Committee:
Resolution Number 12-387 Amended
- *Resolution No. 60, By Mr. Kushner, Chairman of the Finance Committee:
Information Security Policy Adopted
- *Resolution No. 61, By Mr. Kushner, Chairman of the Finance Committee:
Resolution Calling for the Governor and State Legislature to Compensate Counties for State-Mandated District Attorney Salary
- *Resolution No. 62, By Mr. Kushner, Chairman of the Finance Committee:
Resolution Urging the New York State Legislature and Governor to Restore State Aid to Community Colleges at the Levels Required by New York State Education Law
- *Resolution No. 63, By Mr. Kushner, Chairman of the Finance Committee:
Resolution Calling on the Governor and State Legislature to Assess the Cost of Implementing Early Voting and to Fully Fund any Increase in Costs to County Boards of Elections

- *Resolution No. 64, By Mr. Kushner, Chairman of the Finance Committee:
Resolution Calling on the Governor, State Legislature and the New York Congressional Delegation to Support Federal Legislation that Authorizes States to Require the Collection of Sales and Use Taxes on Sales of Taxable Products and Services into Their Jurisdiction by Remote Sellers

- *Resolution No. 65, By Mr. Kushner, Chairman of the Finance Committee:
Resolution Urging the New York State Legislature to Honor Home Rule Sales Tax Requests in Order to Meet the Intent of Home Rule Authority Granted to Counties in the State Constitution

- *Resolution No. 66, By Mr. Kushner, Chairman of the Finance Committee:
Resolution Calling for the State Legislature and the Governor to Allocate 9-1-1 Surcharge Funds to Counties to Support 9-1-1 and Public Safety Communications

- *Resolution No. 67, By Mr. Kushner, Chairman of the Finance Committee:
Resolution Calling on Governor Cuomo to Improve Probation and Alternatives to Incarceration in New York State in Order to Protect the Public and Reduce Reliance on Prisons and Jails

- *Resolution No. 68, By Mr. Kushner, Chairman of the Finance Committee:
Resolution Opposing the Governor's Proposal to Limit Industrial Development Agencies' Ability to Grant State Sales Tax Exemptions as Part of Local Economic Development Efforts

- *Resolution No. 69, By Mr. Kushner, Chairman of the Finance Committee:
Set Public Hearing – Introductory Local Law No. A Year 2013

COUNTY EVENT FLYERS (WHEN AVAILABLE):

RESOLUTION NO. 13-
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2012 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2012 accounts as follows:

Capital Improvement Project			
From: 12.61.1620.2.21021 Fire Training Tower	\$131,327.19		
12.61.1620.2.21023 FTC Storage Facility	67,885.35		
12.61.1620.4.40310 Gvt. Center Repairs	955.47		
12.61.3020.4.40810 E911 Maint. & Repair	32,426.70		
To: 12.61.9950.9.99004 CIP/Interfund Trans.		\$232,594.71	
Reason: To transfer left over project funds to the general CIP fund appropriation to be used on other projects as necessary.			
Capital Improvement Project Total			\$232,594.71

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2013 accounts as follows:

Social Services			
From: 01.39.6010.4.40001 Gas	\$1,000.00		
01.39.6010.4.41010 Misc. Ofc. Supplies	1,500.00		
01.39.6010.4.41401 Maint. Agreement	500.00		
01.39.6010.4.41410 Software	250.00		
01.39.6010.4.42217 FS E&T	<u>250.00</u>		
To: 01.39.6010.2.20401 – Misc. Equipment		\$3,500.00	
Reason: Transfer necessary to cover 2013 costs to replace microfiche reader/printer.			
Social Services Total			\$3,500.00
Public Health			
From: 01.38.4035.4.41204 Advertising	\$9,100.00		
To: 01.38.4035.2.20401 Misc Equipment		\$9,100.00	
Reason: For purchase of a Toshiba Copier on NYS Bid to replace an older model (parts not available); purchase in connection with the 2012-13 NYS DOH Title X COLA Award.			
Public Health Total			\$9,100.00
District Attorney			
From: 01.32.1167.8.81001 Retirement	\$353.00		
01.32.1167.8.82002 CSEA Disability	92.34		
01.32.1167.8.86001 Employee Assistance	<u>5.66</u>		
To: 01.32.1167.1.10101 Full Time CSEA		\$391.00	
01.32.1167.4.40402 Conferences		60.00	
Reason: Transfer funds to reflect 2013 VAWA Grant funds.			
District Attorney Total			\$451.00

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2012 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2012 accounts as follows:

Treasurer			
To: 01.42.6420.4.40901 Bed tax w/01.02.1000.1113 Bed tax room occupancy Reason: 2012 Bed Tax-Tourism expenditure.	\$15,889.97	\$15,889.97	
To: 06.57.6290.4.42449 Wyo. Co. Comm. Action w/ 06.12.6290.4790 JTPA increased by same Reason: To cover expense of pass-through program	\$2,052.51	\$2,052.51	
Treasurer Total			\$17,942.48
Social Services - Medicaid			
To: 01.40.6102.4.42249 MMIS 01.40.6102.4.42250 IGT/DSH Pmt <i>w/any funds available</i> Reason: To cover the cost of the final 2012MMIS payment & the additional funds necessary to cover the local share of the 2011 UPL payment (48.28%).	\$24,983.00 <u>322,337.18</u>	\$347,320.18	
Social Services - Medicaid Total			\$347,320.18
Water Resource Agency			
To: 01.48.8310.4.40301 Professional Svc. w/ 01.11.8310.3089 State Aid <i>w/ any funds available</i> Reason: To appropriate LGE funds w/State Aid	\$8,491.30	7,642.00 \$849.30	
Water Resource Agency Total			\$8,491.30
Sheriff			
To: 01.37.3110.4.42306 Seized Asset w/01.07.3110.2626 Seized Property Reason: needed to cover expenses to the end of the year.	\$1,139.87	\$1,139.87	
Sheriff Total			\$1,139.87

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2013 accounts as follows:

Treasurer			
To: 01.33.1325.4.42306 Other w/01.11.1325.3089 Other State Grant Reason: Collaborative Tax Collection Study from 2009 residual grant proceeds	\$12,197.27	\$12,197.27	
Treasurer Total			\$12,197.27
Water Resource Agency			
To: 01.48.8310.1.10001 Salaries S/D/I 01.48.8310.1.10201 Part Time 01.48.8310.2.20401 Misc. Equipment 01.48.8310.2.23001 Motor Vehicle 01.48.8310.4.40301 Professional Svc 01.48.8310.4.40401 Training 01.48.8310.4.40704 Lab 01.48.8310.4.41214 Supplies Purchased 01.48.8310.8.81001 Retirement 01.48.8310.8.83001 FICA 01.48.8310.8.85001 Medicare w/01.11.8310.3089 State Aid <i>w/any funds available</i> Reason: To appropriate LGE funds w/State Aid	\$20,000.00 \$10,000.00 \$60,962.00 \$20,000.00 \$79,842.70 \$ 5,940.00 \$ 4,500.00 \$19,325.00 \$ 4,200.00 \$ 1,860.00 <u>\$ 435.00</u>	\$204,358.00 \$22,706.70	
Water Resource Agency Total			\$227,064.70
Veterans Services			
To: 01.43.6510.2.20401 Misc. Office Equip. <i>with any funds available</i> Reason: To purchase needed rotary file cabinet.	\$1,765.83	\$1,765.83	
Veterans Services Total			\$1,765.83
Mental Health			
To: 01.38.4324.4.41204 Advertising w/01.03.4324.1289 Other Dept. Revenue increased by same Reason: MHANYS Suicide Prevention Grant roll-over of unspent funds.	\$243.65	\$243.65	
Mental Health Total			\$243.65

**RESOLUTION NO. 13-
February 11, 2013
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District Attorney			
To: 01.32.1167.8.89001 Medical Insurance 01.32.1167.8.81001 Retirement w/01.12.1167.4389 Federal Aid VAWA Reason: Reduction in revenue from 01.12.1167.4389 in the amount of \$1,543.00 which represents the difference between what we budgeted for and what we actually received.	\$(1,227.00) <u>(316.00)</u>	(\$1,543.00)	
District Attorney Total			(\$1,543.00)
Emergency Services			
To: 01.37.3645.2.20401B Misc. Equipment 01.37.3645.4.40016B Internet - Aircards w/01.12.3645.43890B Homeland Security Grant Reason: To rollover unspent grant funds for SHSP 2010 budget year.	\$20,653.84 <u>759.30</u>	\$21,413.14	
Emergency Services Total			\$21,413.14
Probation			
To: 01.37.3140.4.42101 – Law Enf. Supplies <i>w/any funds available</i> Reason: Ammo ordered in November 2012 will not be available until June 2013. We have sufficient ammo for April qualifications.	\$695.55	\$695.55	
Probation Total			\$695.55

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mrs. Totslin, Chairman of Human Services Committee:

**REBECCA RYAN AND JEAN TOTSLINE APPOINTED/REAPPOINTED TO THE
OFFICE FOR THE AGING ADVISORY COUNCIL**

BE IT RESOLVED, That Rebecca Ryan (T/Warsaw), 172 West Buffalo Street, Warsaw, NY is hereby appointed to the Office For the Aging Advisory Council as a Town Representative Member for a term of three (3) years; effective January 01, 2013 through December 31, 2015 (replacing Fran Rudgers); and be it

FURTHER RESOLVED, That Jean Totslin (T/Genesee Falls), 6940 River Road, Portageville, NY 14536 be hereby reappointed to the Office For the Aging Advisory Council as the Supervisor Member for a term of one (1) year; effective January 01, 2013 through December 31, 2013.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mrs. Totslin, Chairman of Human Services Committee:

**DAVID RUMSEY AND JAMES FLEISCHMAN REAPPOINTED TO THE
211 ADVISORY BOARD**

BE IT RESOLVED, That David Rumsey (Department of Social Services), 466 North Main Street, P. O. Box 231, Warsaw NY 14569 be hereby reappointed to the 211 Advisory Board as a Member for a term of one (1) year; effective January 1, 2013 through December 31, 2013; and be it

FURTHER RESOLVED, That James Fleischman (Board of Supervisors), 5824 Java Lake Road, Arcade, NY 14009 be hereby reappointed to the 211 Advisory Board as a Member for a term of one (1) year; effective January 1, 2013 through December 31, 2013.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mrs. Totsline, Chairman of Human Services Committee:

RESOLUTION NUMBER 12-250 AMENDED

WHEREAS, Resolution Number 12-250 entitled, **“CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE STATE OF NEW YORK OFFICE OF GENERAL SERVICES ON BEHALF OF THE DIVISION OF VETERANS’ AFFAIRS ON BEHALF OF WYOMING COUNTY VETERAN SERVICES,”** passed by this Board of Supervisors on August 14, 2012 and provides for a grant application and acceptance award with the State of New York Office of General Services on behalf of the Division of Veterans’ Affairs, Mayor Erastus Corning 2nd Tower, The Governor Nelson A. Rockefeller Empire State Plaza, Albany, NY 12242 on behalf of Wyoming County Veteran Services. Said grant is for regular 2012 State Aid funding in a minimum amount of eight thousand six hundred fifty-four dollars (\$8,654.00); effective April 01, 2012 through March 31, 2013 ; now therefore

BE IT RESOLVED, That Resolution Number 12-250 be hereby amended to reflect a revised grant amount of eight thousand five hundred twenty-nine dollars, which is a difference of \$125.00 less than anticipated. All else remains the same.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**REBECCA RYAN AND EDWARD PIECHOCKI APPOINTED/REAPPOINTED
TO THE WYOMING COUNTY BOARD OF HEALTH**

BE IT RESOLVED, That Rebecca Ryan (T/Warsaw), 172 West Buffalo St., Warsaw, NY 14569 be hereby appointed to the Wyoming County Board of Health as the Supervisor Member for a term of one (1) year; effective January 1, 2013 through December 31, 2013; and be it

FURTHER RESOLVED, That Edward Piechocki, RPA-C, Ryan Road, Warsaw, NY 14569 be hereby reappointed to the Wyoming County Board of Health as a Member for a term of six (6) years; effective January 01, 2013 through December 31, 2018.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN/COMMISSONER OF HEALTH AUTHORIZED TO SIGN VARIOUS
CONTRACTS 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 the following contracts on behalf of the County Health Department:

- **Clark Patterson Lee Associates**, 205 St. Paul Street, Suite 500, Rochester, NY 14604 for professional engineer consultation services according to fee schedule, not to exceed amount budgeted; effective January 1, 2013 through December 31, 2014 (RENEWAL)

- **Visiting Nursing Association of Western New York, Inc.**, 2100 Wehrle Drive, Williamsville, NY 14221
 - Physical Therapy and PTA services according to fee schedule, not to exceed amount budgeted; effective January 1, 2013 through December 31, 2013 (NEW)
 - Lease Agreement to provide 1,427 sq. ft. of office space located at 5362 Mungers Mill Road, Silver Springs for the VNA Wyoming County Branch Office Effective February 1, 2013 through December 31, 2017 (NEW & REVENUE)
 - \$13.00/sf/yr for 2/1/13 to 12/31/15 (\$1,545.92/mo)
 - \$14.00/sf/yr for 1/1/16 to 12/31/17 (\$1,664.83/mo)

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

RESOLUTION NUMBER 13-23 AMENDED

WHEREAS, Resolution Number 13-23 entitled, **“CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN VARIOUS CONTRACTS AND AGREEMENTS ON BEHALF OF THE HEALTH DEPARTMENT AND CERTIFIED HOME HEALTH AGENCY FOR THE YEAR 2013,”** passed by this Board of Supervisors on January 14, 2013 and provides for various contracts and agreements for the year 2013 on behalf of the Health Department and the Certified Home Health Agency; now therefore

BE IT RESOLVED, That Resolution Number 13-23 be hereby amended to reflect the actual terms of the expiration date for the \$500.00/month Wyoming Properties, LLC/Building Use Agreement WIC of January 1, 2013 through December 31, 2014; All else remains the same.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH NEW YORK STATE DEPARTMENT OF HEALTH, BUREAU OF COMMUNICABLE DISEASE (ZONOSSES PROGRAM) 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 a grant application and acceptance award with New York State Dept. of Health, Bureau of Communicable Disease (Zoonoses Program), ESP Corning Tower, Room 621, Albany, NY 12237 for funding of the County Rabies Program in a minimum amount of eleven thousand two hundred twenty one dollars and ninety-six cents (\$11,221.96) per year; effective April 1, 2012 through March 31, 2017.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**REBECCA RYAN APPOINTED TO THE MENTAL HEALTH
COMMUNITY SERVICES BOARD AND MENTAL HEALTH SUBCOMMITTEE**

BE IT RESOLVED, That Rebecca Ryan (T/Warsaw), 172 West Buffalo Street, Warsaw NY 14569 be hereby appointed to the Mental Health Community Services Board and Mental Health Subcommittee as the Supervisor Member for a term of one (1) year; effective January 01, 2013 through December 31, 2013.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

REDUCTION IN MENTAL HEALTH PETTY CASH APPROVED

BE IT RESOLVED, That the Petty Cash fund in the Department of Mental Health is hereby reduced from \$300.00 to \$50.00; effective immediately.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
KEEGAN ASSOCIATES ON BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Keegan Associates, 50 Clinton Avenue, Cortland, NY 13045 on behalf of Mental Health. Said contract is for the development of seven distinct social marketing messages to youth and adults related to preventing underage drinking in an amount not to exceed five thousand dollars (\$5,000.00); effective February 01, 2013 through February 28, 2013.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:
Mr. Rogers, Chairman of Public Safety Committee:

CONTINUITY OF OPERATION/CONTINUITY OF GOVERNMENT PLAN ADOPTED

BE IT RESOLVED, That the “*Continuity of Operation/Continuity of Government Plan*” as an Annex to the Wyoming County Comprehensive Emergency Management Plan is hereby adopted and annexed hereto; effective immediately.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

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

BE IT RESOLVED, That James Brick (T/Perry), 7618 Route 20A, Perry, NY 14530 be hereby reappointed to the Cornell Cooperative Extension Board of Directors as the Supervisor Member for a term of one (1) year; effective January 01, 2013 through December 31, 2013.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
REGION 9 – FISH & WILDLIFE MANAGEMENT BOARD**

BE IT RESOLVED, That the following members be hereby appointed/reappointed to
the Region 9 - Fish & Wildlife Management Board;

One (1) year term effective January 01, 2013 through December 31, 2013

Supervisor Member

- Jerry Davis (T/Covington) 7414 Court Road, P.O. Box 445, Pavilion, NY 14525

Supervisor Member/Alternate

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

Landowner Rep.

Two (2) year term effective January 1, 2013 through December 31, 2014

- Joseph Meyer, 611 Route 20A, Strykersville, NY 14145 (replacing David Pankow)

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

MEMBERS REAPPOINTED TO THE SENECA TRAIL RC&D COUNCIL

BE IT RESOLVED, That the following members be hereby appointed/reappointed to the Seneca Trail RC & D Council;

Supervisor Members

One (1) year term effective January 01, 2013 through December 31, 2013

- E. Joseph Gozelski (T/Castile), 6175 E. Lake Road, P.O. Box 331, Silver Springs, NY 14550
- John Copeland (T/Wethersfield) 5888 Sheppard Road, Bliss, NY 14024 Soil & Water Member

Member at Large/Alternate

Three (3) year term effective January 01, 2013 through-December 31, 2015

- Gregory McKurth (Wyoming County Soil & Water) 31 Duncan Street Ext., Warsaw, NY 14569

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

**JAMES BRICK AND JOHN KNAB REAPPOINTED TO THE
SOIL & WATER CONSERVATION DISTRICT BOARD**

BE IT RESOLVED, That James Brick (T/Perry), 7618 Route 20A, Perry, NY 14530 be hereby reappointed as a Supervisor Member on the Soil & Water Conservation District Board for a term of one (1) year; effective January 01, 2013 through December 31, 2013; and be it

FURTHER RESOLOVED, That John Knab (T/Sheldon), 2246 Thomson Road, Varysburg, NY 14167 be hereby reappointed as a Supervisor Member on the Soil & Water Conservation District Board for a term of one (1) year; effective January 01, 2013 through December 31, 2013.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**APPROVING PUBLIC EMPLOYEES
FIDELITY (BLANKET) BOND FOR
GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL**

WHEREAS, The County of Wyoming has appropriated the sum of six thousand six hundred forty-seven dollars (\$6,647.00) as its share of the Year 2013 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

WHEREAS, Pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of an agency designated by the agency to receive such monies, provided that such officer shall have executed an official undertaking approved by the governing body of the County; and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has designated David S. Zorn, Executive Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of five hundred thousand dollars (\$500,000.00); now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**BRUCE CAMP REAPPOINTED TO THE WYOMING COUNTY INDUSTRIAL
DEVELOPMENT AGENCY BOARD OF DIRECTORS**

BE IT RESOLVED, That Bruce Camp, 3837 Fullington Road, Attica, NY 14011 be hereby reappointed to the Wyoming County Industrial Development Agency as a Member for a term of three (3) years; effective February 08, 2013 through February 07, 2016.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTACT WITH THE BRENNAN GROUP,
LLC (PATRICK BRENNAN) ON BEHALF OF THE WATER RESOURCE AGENCY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with The Brennan Group, LLC (Patrick Brennan), 7705 Sally Rd., Waterville, NY 13480 on behalf of the County Water Resource Agency. Said contract is for implementation of the recently completed Countywide Water Study, including the creation of the Water Resources Agency (WCWRA), which will administer the development of a county-wide leak detection program and a centralized laboratory, etc. in the amount of \$1,000/mo. not to exceed twelve thousand dollars (\$12,000.00) plus mileage, tolls, and reasonable expenses; effective January 1, 2013 through December 31, 2013.

Contingent upon the availability of funds.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WILLIAM MADDISON
ON BEHALF OF THE AG AND BUSINESS CENTER OF EXCELLENCE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with William Maddison, 144 Highview Dr., Rochester, NY 14609 on behalf of the Ag. and Business Center for Excellence. Said contract is for the oversight and coordination of the creation of the Wyoming County Ag. and Business Center of Excellence in the amount of \$25.00/hr. not to exceed six thousand dollars (\$6,000.00)/annually plus mileage, tolls, and reasonable expenses; effective January 1, 2013 through December 31, 2013.

Contingent upon the availability of funds.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**E. JOSEPH GOZELSKI REAPPOINTED TO THE AGRICULTURAL AND
FARMLAND PROTECTION BOARD**

BE IT RESOLVED, That E. Joseph Gozelski (Representing the Board of Supervisors) 6175 East Lake Road, P. O. Box 331, Silver Springs, NY 14550 be hereby reappointed to the Agricultural and Farmland Protection Board as a Member for a term of one (1) year; effective January 1, 2013, through December 31, 2013.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**ART BUCKLEY REAPPOINTED TO THE GLOW SOLID WASTE
PLANNING COMMITTEE**

BE IT RESOLVED, That Art Buckley (County Planner) 6470 Route 20A, Suite 4, Perry, NY 14530 be hereby reappointed to the GLOW Solid Waste Planning Committee as a Planning Department Representative for a term of one (1) year; effective January 1, 2013 through December 31, 2013.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**MEMBERS REAPPOINTED TO THE GLOW REGIONAL SOLID WASTE
MANAGEMENT COMMITTEE**

BE IT RESOLVED, That the following members are hereby reappointed to the GLOW Regional Solid Waste Management Committee for a term of one (1) year; effective January 1, 2013 through December 31, 2013:

Planning Department Representative

- Art Buckley (County Planner) 6470 Route 20A, Suite 4, Perry, NY 14530 (reappointment)

Supervisor Member

- Larry Rogers (T/Pike), P.O. Box 82, Pike, NY 14130;
- Steve Tarbell (T/Castile), 3795 Club Road, PO Box 215, Silver Lake, NY 14549

Alternate:

- Gerald Stout (T/Orangeville), 2838 Orangeville Center Rd., Warsaw, NY 14569

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**MEMBERS REAPPOINTED TO THE GLOW SOLID WASTE
ADVISORY COMMITTEE**

BE IT RESOLVED, That the following members are hereby reappointed to the GLOW Solid Waste Advisory Committee as the Wyoming County Supervisor Member for a term of one (1) year; effective January 1, 2013 through December 31, 2013.

Planning Department Representative

- Art Buckley (County Planner) 6470 Route 20A, Suite 4, Perry, NY 14530 (reappointment)

Agency Representative

- Joan Petzen (Cornell Cooperative Extension) 401 N. Main Street, Warsaw, NY 14569 (reappointment)

Supervisor Member

- Larry Rogers (T/Pike), 14 East Koy Road, Pike, NY 14130

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

DANIEL LEUER REAPPOINTED TO THE ARTS COUNCIL BOARD OF DIRECTORS

BE IT RESOLVED, That Daniel Leuer (T/Middlebury), 712 Transit Road, Wyoming, NY 14591 be hereby appointed to the Arts Council Board of Directors as a Supervisor Member for a term of one (1) year; effective January 1, 2013, through December 31, 2013.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**DOUGLAS PATTI AND STEPHEN TARBELL REAPPOINTED TO THE
BUSINESS EDUCATION COUNCIL**

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Business Education Council for a term of one (1) year; effective January 1, 2013 through December 31, 2013:

Supervisor Member

- Douglas Patti (T/Attica) 333 E. Main Street, Attica, NY 14011

Supervisor Member/Alternate

- Stephen Tarbell (T/Castile), 3795 Club Road, PO Box 215, Silver Lake, NY 14549

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**MEMBERS REAPPOINTED TO THE GENESEE FINGER LAKES REGIONAL
PLANNING COUNCIL**

BE IT RESOLVED, That the following members are hereby reappointed to the
Genesee/Finger Lakes Regional Planning Council for a term of one (1) year; effective January
01, 2013 through December 31, 2013:

Chairman Member

- A. Douglas Berwanger (T/Arcade), 6608 E. Arcade Road, Arcade, NY 14009

Chairman Member/Alternate

- Gerald Stout (T/Orangeville), 2838 Orangeville Center Road, Warsaw, NY 14569

Supervisor Member

- Jerry Davis (T/Covington), 7414 Court Road, P.O. Box 445, Pavilion, NY 14525

Executive Committee

- Jerry Davis (T/Covington), 7414 Court Road, P.O. Box 445, Pavilion, NY 14525

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**KARL DRASGOW APPOINTED TO THE
GLOW WORKFORCE INVESTMENT BOARD (WIB)**

BE IT RESOLVED, That Karl Drasgow (Drasgow, Inc.) 4150 Poplar Tree Road, Gainesville, NY 14066 be hereby appointed to the GLOW Workforce Investment Board (WIB) as a Member (Private Sector Representative) (replacing Stu Hempel); effective February 12, 2013.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

RESOLUTION NUMBER 12-380 AMENDED

WHEREAS, Resolution Number 12-380 entitled, **“CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH NEW YORK STATE DEPARTMENT OF CRIMINAL JUSTICE SERVICES ON BEHALF OF THE DISTRICT ATTORNEY’S OFFICE,”** passed by this Board of Supervisors on December 11, 2012 and provides for funding of the S.T.O.P. Violence Against Women program in a minimum amount of thirty-five thousand three hundred forty-three dollars (\$35,343.00); effective January 1, 2013 through December 31, 2013; now therefore

BE IT RESOLVED, That Resolution Number 12-380 be hereby amended to reflect the actual award amount of thirty-three thousand eight hundred dollars (\$33,800.00) (\$1,543.00 less than applied for). All else remains the same.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH UNITED UNIFORM
COMPANY, INC., ON BEHALF OF THE SHERIFF'S OFFICE AND COUNTY JAIL**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with United Uniform Co. Inc., 495 N French Road, Buffalo NY 14228 on behalf of the Sheriff's Office and County Jail. Said contract is for uniforms for Sheriff and Jail personnel in amounts not to exceed bid list pricing; this is the 2nd of 2 contract extensions; effective March 1, 2013 though February 28, 2014. Contingent upon the availability of funds.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH THE TOWN OF
COVINGTON ON BEHALF OF THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Town of Covington, 7083 Court Road, PO Box 128, Pavilion, NY 14525 on behalf of the Sheriff's Office. Said contract is for additional enforcement of the Vehicle & Traffic Laws for Route 63 in the amount of \$27.84-\$41.895/hr plus fringe and any negotiated salary increases; effective January 1, 2013 through December 31, 2013.

Carried: Ayes: Noes: Absent: Abstain:

RESOLUTION NO. 13-
(February 12, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

**OPPOSING THE PROCESS OF ENACTMENT AND CERTAIN PROVISIONS
CONTAINED WITHIN THE NEW YORK SAFE ACT**

WHEREAS, The right of the people to keep and bear arms is guaranteed as an individual right under the Second Amendment to the United States Constitution; and

WHEREAS, The right of the people to keep and bear arms for defense of life, liberty, and property is regarded as an inalienable right of the people of Wyoming County; and

WHEREAS, The lawful ownership of firearms is, and has been, a valued tradition in Wyoming County, and the rights protected by the Second Amendment to the United States Constitution are exercised by many of its residents; and

WHEREAS, The people of Wyoming County derive economic and environmental benefits from all safe forms of recreation involving firearms, including, but not limited to, hunting and target shooting while utilizing all types of firearms available under the Constitution of the United States; and

WHEREAS, Members of the Wyoming County Board of Supervisors, being elected to represent the people of the sixteen towns of Wyoming County, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, Members of the New York State Assembly and the New York State Senate, being elected by the people of New York State, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, The enactment of the NY SAFE Act (Chapter 1 of the Laws of 2013) has engendered significant controversy over both the process by which it was enacted and certain provisions contained within it; and

WHEREAS, It is our understanding that many State Legislators had less than an hour to read the legislation, which contained approximately twenty-five thousand words, before being forced to vote on it; and

WHEREAS, Having reviewed the legislation and time constraints, it is our conclusion that there is no possible way any individual could have read the entire bill and understood its full implications prior to voting on it; and

WHEREAS, Our State Legislators most certainly could not have had the time to request, and receive, the input of their constituents regarding this matter; and

WHEREAS, Seeking, and considering, such public input is a standard to which we hold ourselves in the Wyoming County Legislature; and

WHEREAS, This legislation has 60 sections, of which only three take effect immediately; and

WHEREAS, In our opinion, there was no reason for the Governor to use a message of necessity to bring this bill to vote immediately and bypass the three day maturing process for all legislation; and

WHEREAS, The mishandling of the process in crafting the NY SAFE Act resulted in complex policy changes, many of which have been left to interpretation, and are confusing even to the State Legislators who voted on them, and the law enforcement officials who are required to enforce and explain them; and

WHEREAS, Requiring law-abiding gun owners to verify ownership of certain types of firearms every five years, in addition to registering them on their permits, which now also must be renewed every 5 years, does not increase the safety of the public and is unnecessarily burdensome to the law abiding residents of New York State; and

WHEREAS, There will be a significant financial impact due to the approximately 8,500 Wyoming County permits that will have to be renewed requiring additional manpower and computer systems; and

WHEREAS, This legislation prohibits the sale of firearm magazines with a capacity larger than seven rounds; and

WHEREAS, Those firearm magazines with a capacity larger than seven rounds, which are authorized to be retained by existing owners, may only be loaded with seven rounds and eventually must be permanently altered to only accept seven rounds or be disposed of, thus constituting a seizure of legally owned personal property with no provision for compensation; and

WHEREAS, Few or no low capacity (7 rounds or less) magazines currently exist for many of the firearms commonly possessed by law-abiding residents of New York State; and

WHEREAS, Limiting the number of rounds to seven versus ten is arbitrary and capricious, has no correlation to public safety, unfairly burdens law-abiding gun owners, and puts an undue burden on gun manufacturers to retool their manufacturing plants; and

WHEREAS, The only persons who will comply with the new high-capacity magazine ban are law-abiding citizens, leaving the same high-capacity magazines in the hands of those

who choose not to obey the law; and

WHEREAS, Requiring documentation of all ammunition sales in New York State, as provided for in this legislation, is a significant unfunded mandate on business; and

WHEREAS, The New York State Combined Ballistic Identification System, which wasted \$44 million in taxpayer money and resulted in zero convictions, illustrates the propensity of government to waste taxpayer resources when legislation is not properly reviewed; and

WHEREAS, Governor Cuomo has proposed spending \$36 million dollars in his 2013-2014 Executive budget for the implementation of the NY SAFE Act at a time when New York State residents are crying out for tax relief; and

WHEREAS, This legislation severely impacts the possession and use of firearms now employed by the residents of Wyoming County for defense of life, liberty, and property; and

WHEREAS, This legislation severely impacts the possession and use of firearms now employed for safe forms of recreation including, but not limited to, hunting and target shooting; and

WHEREAS, While there are some areas of the legislation that the Wyoming County Board of Supervisors finds encouraging, such as addressing glaring shortcomings in the mental health system, the strengthening of Kendra's Law and Mark's law, as well as privacy protections for certain pistol permit holders, by-and-large, we find the legislation does little more than negatively impact lawful gun ownership; and

WHEREAS, This legislation fails to offer any meaningful solutions to gun violence and places increased burdens where they do not belong, squarely on the backs of law-abiding citizens; and

WHEREAS, This legislation effectively turns countless New York State law-abiding gun owners into criminals; and

WHEREAS, The manner in which this legislation was brought forward for vote in the State Legislature is deeply disturbing to the Wyoming County Board of Supervisors; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby oppose, and request the repeal of, any legislation, including the sections within the NY SAFE Act (Chapter 1 of the Laws of 2013), which infringe upon the right of the people to keep and bear arms; and be it

FURTHER RESOLVED, that the Wyoming County Board of Supervisors considers

such laws to be an egregious violation of 2nd Amendment Constitutional Rights, onerous, and burdensome to the citizens and the County in their implementation, and beyond lawful legislative authority granted to our State representatives; and be it

FURTHER RESOLVED, that the Wyoming County Board of Supervisors strongly encourages members of the New York State Legislature to hold public hearings to address the issue of gun violence in a way that will produce meaningful results; and be it

FURTHER RESOLVED, that the Wyoming County Board of Supervisors requests the members of the New York State Senate and Assembly who represent all of Wyoming County to reply, in writing, with their views on, and actions taken, in support of, or opposition to, the NY SAFE Act; and be it

FURTHER RESOLVED, that a copy of this resolution be sent to President Barack Obama, Vice President Joseph Biden, Governor Andrew Cuomo, United States Senators Charles Schumer, and Kirsten Gillibrand, Congressman Chris Collins, New York State Senator Patrick Gallivan, Assembly Speaker Sheldon Silver, New York State Assemblyman David DiPietro, Inter-County Association of Western New York and the New York State Association of Counties.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
SIMPLEX GRINNELL ON BEHALF OF THE COUNTY JAIL**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Simplex Grinnell LP, 90 Goodway Drive, Rochester NY 14623 on behalf of the County Jail. Said contract is for fire alarm maintenance in an amount not to exceed six thousand one hundred thirty-five dollars (\$6,135.00); effective January 1, 2013 through December 31, 2013.

Contingent upon the availability of funds.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

FARRIS HEIMANN REAPPOINTED AS STOP-DWI COORDINATOR, PT

BE IT RESOLVED, That Farris S. Heimann, 19 Buffalo Street, Attica, NY 14011
be hereby reappointed as the STOP-DWI Coordinator, PT; effective for a term of one (1) year;
effective January 1, 2013 through December 31, 2013.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**RESOLUTION OF THE WYOMING COUNTY BOARD OF SUPERVISORS IN
SUPPORT OF SENATE BILL S.95/ASSEMBLY BILL A.01562 AND SENATE BILL
S.99/ASSEMBLY BILL A. TO AMEND THE VEHICLE AND TRAFFIC LAWS**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby supports the following New York State proposed legislation amending New York State Vehicle and Traffic Laws and encourages the New York State Senate, New York State Assembly and Governor Andrew Cuomo to approve the following bills before them now:

- New York State Senate Bill S.95 and New York State Assembly Bill A.01562 entitled, “*AN ACT to amend the vehicle and traffic law, in relation to ambulance registration fees,*” which provides for with respect to the payment of registration fees shall not apply to ambulances used exclusively to carry sick or injured persons ...; and
- New York State Senate Bill S.99 and New York State Assembly Bill (No same as in Assembly) entitled, “*AN ACT to amend the vehicle and traffic law in relation to exempting authorized emergency vehicles from obedience to traffic laws when involved in an emergency operation .*”

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**LARRY ROGERS REAPPOINTED TO THE
MERCY FLIGHT CITIZENS ADVISORY COMMITTEE**

BE IT RESOLVED, That Larry Rogers (T/Pike), PO Box 82, Pike, NY 14130-0082 be hereby reappointed to the Mercy Flight Citizens Advisory Committee as the Supervisor Member for a term of one (1) year; effective January 1, 2013 through December 31, 2013.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN GRANT ACCEPTANCE AWARDS WITH THE
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES ON BEHALF OF
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 acceptance awards with the New York State Department of Criminal Justice Services – Office of Probation and Correctional Alternatives, Alfred E. Smith Building, 80 South Swan Street, Albany, NY 12210 for funding of the following programs on behalf of Wyoming County Probation:

- **Alternatives to Incarceration Programs**
 - *Community Service*, in a minimum amount of five thousand five hundred thirty-one dollars (\$5,531.00); effective July 1, 2012 through June 30, 2013.
 - *Pre-Trial Release*, in the amount of five thousand five hundred thirty-one dollars (\$5,531.00); effective July 1, 2012 through June 30, 2013.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

RESOLUTION NUMBER 11-60 AMENDED

WHEREAS, Resolution Number 11-60 entitled, “**CHAIRMAN AUTHORIZED TO SIGN GRANT APPLICATIONS AND ACCEPTANCE AWARDS WITH NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES ON BEHALF OF PROBATION,**” passed by this Board of Supervisors on February 15, 2011 which provides funding for Probation Eligible Diversion Program in a minimum amount of ten thousand four hundred ninety dollars (\$10,490.00), effective January 01, 2011 through December 31, 2011; Alternative to Incarceration programs, specifically Community Service, Pre-Trial Release and Data Day programs, to be provided in a minimum amount of twenty-one thousand five hundred twenty-six dollars (\$21,526.00) effective January 1, 2011 to December 31, 2011; and

WHEREAS, On September 13, 2011 Resolution Number 11-60 was amended by Resolution Number 11-280 to reflect a decrease of eight hundred twenty-six dollars (\$826.00) to the Probation Eligible Diversion Program for a total award in the minimum amount of nine thousand six hundred sixty-four dollars (\$9,664.00) and a reduction in funding of three thousand six hundred eighty-seven dollars (\$3,687.00) to the Alternative to Incarceration Programs for a revised minimum amount of seventeen thousand eight hundred thirty-nine dollars (\$17,839.00); (Community Service \$5,531.00, Pre-Trial Release \$5,531.00 and Defendant Based Data Day program \$6,777.00); all else remains the same; and

WHEREAS, On February 14, 2013 Resolution Number 11-60 as amended by Resolution Number 11-280 was further amended by Resolution Number 12-67 to reflect increases to the following programs:

- Alternatives to Incarceration Programs
 - Community Service ~ from \$5,531.00 + \$2,840.00 to \$8,371.00
 - Pre-Trial Release ~ from \$5,531.00 + \$2,800.00 to \$8,331.00
 - Data Day Programs ~ from \$6,777.00 + \$3,480.00 to \$10,257.00

Effective January 1, 2012 through June 30, 2012. This is an extension of the current contract for 6 months; now therefore

BE IT RESOLVED, That Resolution Number 11-60, as amended by 11-280 and 12-67 be hereby further amended to correct the amount of monies on the Community Service program from \$2,840.00 to \$2,800.00, for the extension period of January 1, 2012 through June 30, 2012. All else remains the same.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS
ON BEHALF OF THE PUBLIC DEFENDER'S OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the following agreements with Attica Legal Aid, 18 Linwood Avenue, Warsaw, NY 14569 on behalf of the Public Defender's Office as follows:

- **Indigent Parolee Program** in an amount not to exceed one hundred eighty thousand dollars (\$180,000.00); effective January 01, 2013 through December 31, 2013.
- **Alternatives to Incarceration Program** in an amount not to exceed thirteen thousand five hundred fifty-four dollars (\$13,554.00); effective January 1, 2013 to December 31, 2013.

Contingent upon the availability of funds.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 12-286 AMENDED

WHEREAS, Resolution Number 12-286 entitled, **“CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF BUILDINGS AND GROUNDS (CO. BUILDINGS),”** passed by this Board of Supervisors on September 11, 2012 which provides for various contracts on behalf Buildings and Grounds (County Buildings); now therefore

BE IT RESOLVED, That Resolution Number 12-286 be hereby amended to reflect a reduction to the twenty thousand one hundred dollar (\$20,100.00) S & T Pierson, 2276 Silver Lake Road, Perry, NY 14530 contract as of February 01, 2013 as the Health Department will lease 1,427 square feet to the Visiting Nurses Assoc. thereby reducing the cleaning services by two thousand two hundred fifty-six dollars and thirty-nine cents (\$2,256.39) to an amount not to exceed seventeen thousand eight hundred forty-three dollars and sixty-one cents (\$17,843.61).

All else remains the same.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CLARK PATTERSON
LEE ON BEHALF OF THE WYOMING COUNTY COMMUNITY HOSPITAL
RENOVATIONS CAPITAL IMPROVEMENT PROJECT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Clark Patterson Lee, 205 St. Paul Street, Suite 500, Rochester, NY 14604 on behalf of the Wyoming County Community Hospital Renovations Capital Improvement Project. Said contract is for additional Engineering and Architectural Services for the Wyoming County Community Hospital Capital Improvement Project:

- 2012 Redesign Items (already completed) \$50,000.00
- Gift Shop Design (furniture changes included) \$10,000.00
- Conceptual Master Planning \$10,000.00
- In an amount not to exceed: \$70,000.00

Effective January 15, 2013 through completion of project.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACT FOR THE
REPLACEMENT OF ALLEN STREET BRIDGE ON BEHALF OF COUNTY
HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney, Superintendent of County Highways and project Engineer, is hereby authorized and directed to award a bid to _____ (Address), for the replacement of Allen Street Bridge over Oatka Creek, Town of Warsaw, PIN 3320300; PIN 4755.01 in an amount not to exceed _____ the lowest responsible bidder _____; effective through project completion.

Withdrawn

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 11-93 AMENDED

WHEREAS, Resolution Number 11-93 entitled, **“CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT WITH T. Y. LIN INTERNATIONAL ON BEHALF OF COUNTY HIGHWAY,”** passed by this Board of Supervisors on March 08, 2011 which provides for Professional Engineering/Design/Right of Way for the Allen Street Bridge over Oatka Creek, Town of Warsaw. BIN 3320300 in an amount not to exceed one hundred sixty-four thousand dollars (\$164,000.00). Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 11-93 be hereby amended to authorize the Chairman to sign a change order with T.Y. Lin International, 250 East Avenue, Rochester, NY 14604 for the replacement of the Allen Street Bridge over Oatka Creek, Town of Warsaw; BIN 3320300; PIN 4755.01 for additional design in the amount of twenty-five thousand dollars (\$25,000.00) for a total contract amount not to exceed one hundred eighty-nine thousand dollars (\$189,000.00). All else remains the same.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 13-31 AMENDED

WHEREAS, Resolution Number 13-31 entitled, **“CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF COUNTY HIGHWAY,”** passed by this Board of Supervisors on January 14, 2013 and provides various contracts on behalf of County Highway; now therefore

BE IT RESOLVED, That Resolution Number 13-31 be hereby amended to authorize the Chairman to sign a supplemental agreement with Lu Engineers, 175 Sully’s Trail, Suite 202, Pittsford, NY 14534 for additional inspection services relating to the replacement of the West Street Bridge, Town of Arcade; BIN 3319440; PIN 4754.06 in an amount not to exceed sixty-four thousand dollars (\$64,000.00); effective through project completion. All else remains the same.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN PURCHASE CONTRACT
RE: RIGHT OF WAY FOR HRRR – INTERSECTION IMPROVEMENTS**

WHEREAS, That the real property purchase contracts in the Town of Middlebury needed for the intersection improvements at the intersection of Dale and West Middlebury Roads, Town of Middlebury, as described on maps on file in the Office of the Wyoming County Superintendent of Highways is hereby ratified and accepted; and be

BE IT RESOLVED, That the chairman of this Board of Supervisors, with the approval of the County Attorney and on behalf of the County of Wyoming, is hereby authorized and directed to sign purchase contracts regarding the aforementioned acquisition of lands and land improvement projects; and be it

FURTHER RESOLVED, That the County of Wyoming Superintendent of Highways and the Wyoming County Treasurer are hereby authorized to make payment for said conveyance upon advice from the County Attorney has acquired titles to the same as follows:

Property Owner	Tax Map No.	Surveyor Map,	Parcel No. & Footage	Fee
Young Holmes, Inc 4802 W. Middlebury Rd. Dale, NY 14039	9.00-1-45	Map #1	Parcel #1 PE 375sf	
			Parcel #2 PE 314sf	
		Map #2	Parcel #3 TE 470sf	
			Parcel #4 TE 962sf	
				Fee \$23,500.00
				Land Improvements \$ <u>0.00</u>

In an amount not to exceed \$23,500.00

Carried: Ayes: Noes: Absent: Abstain:

RESOLUTION NO. 13-
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

POSITION CREATIONS APPROVED

BE IT RESOLVED, That the following positions are hereby created in the following Wyoming County Departments:

County Clerk

- One (1) position of **Index Clerk, Per Diem (Temporary)** at a rate of \$14.67 hr. with only those benefits mandated by law beginning February 11, 2013 through August 10, 2013.

Buildings & Grounds (CIP)

- One (1) position of **Laborer (Temp.)** at a rate of \$12.00/hr. with only those benefits mandated by law beginning July 9, 2012 through July 8, 2013 (01/08/13 would have been 6 mos.).

Jail

- One (1) position of **Correction Officer Sergeant (Temporary)**, full time to cover the leave of absence of an employee. To be placed on the Sheriff's employee association agreement grade 6 (\$21.91 – \$22.60).

Budget Office

- One (1) position of **Finance Clerk I**, FT to be placed on Schedule S with an annual salary of \$33,500.00; effective February 12, 2013.

County Attorney

- Create one (1) position of **Secretary I**, FT on Schedule S (\$27,459 annually plus benefits) effective February 12, 2013. Abolish one (1) position of Secretary II (position code 013.366) on Schedule S (\$27,459).

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, 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” annexed hereto shall be substituted for the existing Schedule “C.” Commencing January 01, 2013, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

FURTHER RESOLVED, That the salary of any position vacated shall be open for review by the appropriate committee.

Carried: Ayes: Noes: Absent: Abstain:

**2013 WYOMING COUNTY COMMUNITY HEALTH SYSTEM
SALARY PLAN SCHEDULE "C"
REVISED 01-01-2013**

Current Titles 2013	Resolution #	Salary
ADMINISTRATION		
ADMINISTRATIVE ASSISTANT		\$39,520
EMERGENCY ROOM		
DIRECTOR OF WPHS AND EMERGENCY ROOM		\$65,520
FISCAL SERVICES		
ASSISTANT DIRECTOR OF FINANCE		\$60,147
HOSPITAL FINANCE DIRECTOR		\$101,000
DIRECTOR OF REIMBURSEMENT, BUDGET & FIN ANAL		\$90,000
INFECTION CONTROL		
DIRECTOR OF NURSE EDUCATION & INFECTION CONT		\$66,343
INFORMATION SYSTEMS		
DIRECTOR OF HEALTHCARE INFORMATION SYSTEMS		\$68,500
HEALTHCARE INFORMATION SYSTEMS SPECIALIST		\$74,776
MEDICAL STAFF		
MID LEVEL PROVIDER		\$75.00/HR.
MEDICAL DIRECTOR		
ADMINISTRATIVE SECRETARY		\$34,432
MEDICAL SURGICAL UNIT/3RD FLOOR		
NURSING UNIT MANAGER		\$66,679
MENTAL HEALTH UNIT		
DIRECTOR OF BEHAVIORAL HEALTH SERVICES		\$71,795
NURSING FACILITY ADMINISTRATION		
ADMINISTRATIVE SECRETARY		\$36,953
ASSISTANT DIRECTOR OF NURSING		\$65,000
NURSING FACILITY ADMINISTRATOR		\$96,425
ASSISTANT ADMINISTRATOR/DIRECTOR OF NURSING		\$75,000
NURSING ADMINISTRATION		
DIRECTOR OF NURSING/ACUTE		\$75,755
NURSING INFOMATICS COORDINATOR		\$64,480
ADMINISTRATIVE SECRETARY		\$30,160
OPERATING ROOM		
DIRECTOR OF SURGICAL SERVICES		\$67,009
PLANT MAINTENANCE		
MAINTENANCE SUPERVISOR		\$55,000
RADIOLOGY		
DIRECTOR OF OUTPATIENT SERVICES		\$67,392

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REGULATORY AFFAIRS		
DIRECTOR OF REGULATORY AFFAIRS		\$77,772
QUALITY ASSURANCE SPECIALIST		\$68,328
WORKPLACE HEALTH SERVICES		
MID LEVEL PROVIDER		\$83,200

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
JTP RISK CONSULTING, LLC ON BEHALF OF THE
WYOMING COUNTY INSURANCE OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with JTP Risk Consulting, LLC, 6701 Manlius Center Rd., Suite 111-299, East Syracuse, NY 13057 on behalf of the County Insurance Office. Said contract will provide for the creation of a Request for Proposal (RFP) for a Third Party Administrator for the Wyoming County Workers Compensation Pool at a rate of \$150 per hour professional time and \$100 per hour travel time; effective December 01, 2012.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE TRIAD GROUP,
LLC ON BEHALF OF THE WYOMING COUNTY INSURANCE OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Triad Group LLC, 185 Jordan Rd., Troy, NY 12180 on behalf of the County Insurance Office. Said Contract is for Workers' Compensation Claim Administration at a rate not to exceed one hundred thousand dollars (\$100,000.00) per year and 15% of savings on medical bill review (Bill Review Fee – not to exceed fifteen thousand (\$15,000.00) per year. Plus the cost of file allocated claim expenses and loss control fees as needed); effective April 01, 2013 through March 31, 2016.

Contingent upon the availability of funds.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**INVESTMENT POLICY FOR WYOMING COUNTY ADOPTED;
CHAIRMAN AUTHORIZED TO SIGN CUSTODIAL AGREEMENTS
TO MAINTAIN PLEDGED SECURITIES**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves and adopts the following investment policy:

INVESTMENT POLICY FOR WYOMING COUNTY

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order:

- * to conform with all applicable federal, state and other legal requirements (legal);
- * to adequately safeguard principal (safety);
- * to provide sufficient liquidity to meet all operating requirements (liquidity); and
- * to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Chief Fiscal Officer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include and adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulates the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County of Wyoming to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investments, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the County of Wyoming to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

It is the policy of the County of Wyoming for all moneys collected by any officer or employee of the government to transfer those funds to the chief fiscal officer within 7 days of deposit, or within the time period specified in law, whichever is shorter.

The Chief Fiscal Officer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from un-authorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and is managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITARIES

The banks and trust companies authorized for the deposit of moneys up to the maximum amounts are:

Depository Name	Maximum Amount	Officer
Five Star Bank	\$20,000,000.00	
Bank of Castile	\$20,000,000.00	
M & T Bank	\$20,000,000.00	
Steuben Trust Company	\$20,000,000.00	
JP Morgan Chase	\$10,000,000.00	
First Niagara Bank	\$10,000,000.00	

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Sec.10, all deposits of Wyoming County, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with and aggregate "market value" as provided by GML Sec. 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County of Wyoming or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, Sec. 11, the County of Wyoming authorizes the Chief Fiscal Officer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- * Special time deposit accounts;
- * Certificates of deposit;
- * Obligations of the United States of America;
- * Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United State of America;
- * Obligations of the State of New York;
- * Obligations issued pursuant to LFL Sec. 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the County of Wyoming;
- * Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorize such investments.
- * Certificates of Participation (COP's) issued pursuant to GML Sec. 109b.
- * Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML Sec. 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the County of Wyoming within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of

bonds or notes, shall be payable or redeemable at the option of the County of Wyoming within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The County of Wyoming shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the County of Wyoming. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Chief Fiscal Officer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listings shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Chief Fiscal Officer is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company.

Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the County of Wyoming by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Sec. 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.

- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

APPENDIX A

Schedule of Eligible Securities

- (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, and the Asian Development Bank, and the African Development Bank.
- (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market Value of the obligation that represents the amount of the insurance or guaranty.
- (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation, which under a specific State statute may be accepted as security for deposit of public moneys.
- (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- (x) Commercial paper and banker's acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.

(xi) Zero coupon obligations of the United States government marketed as "Treasury strips;" and be it

FURTHER RESOLVED, That the Chairman of this Board and/or the County Treasurer, with the approval of the County Attorney, are hereby authorized and directed to sign Custodial Agreements with the different area banks or their agents to maintain pledged securities to cover deposits made by the County of Wyoming.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

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

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, **“AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,”** the Chairman of this Board with the approval of the County Attorney and/or Hodgson Russ legal council is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Wyoming OB-GYN, PLLC, 121 South Main Street, Warsaw, NY 14569**, for a 1 year renewal contract, no changes to terms or conditions, to provide Medical Director services for the acute and mental health divisions of WCCHS as defined contractually, rate not to exceed seventy thousand dollars (\$70,000.00) annually; effective February 12, 2013 through February 11, 2014.
- **Western New York Physicians PLLC, 2261 Route 19 North, Warsaw, NY 14569**, for a 2 year contract to provide hospitalist medical services, SNF medical needs director, and clinical services needed to cover patient needs who are unassigned to any primary care physician regardless of insurance, not to exceed four hundred thirty-five thousand dollars \$435,000 annually; effective February 1, 2013 through January 1, 2015.

Contingent upon the availability of funds.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

HIPAA OFFICERS REAPPOINTED

BE IT RESOLVED, That the following persons are hereby reappointed to the following HIPAA Officer Positions, for a term of one (1) year; effective January 1, 2013 through December 31, 2013.

Corporate Compliance Officer

- Jerry Davis (T/Covington Supervisor), 7414 Court Rd., P.O. Box 445, Pavilion, NY 14525

Privacy Officer

- Joan Kibler (Probation Director), 143 N. Main St., Warsaw, NY 14569

IT Security Officer

- Todd MacConnell (Information Technology Director), 66 Mt. View Ave., Warsaw, NY 14569

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**MEMBERS APPOINTED/REAPPOINTED
TO THE INTER-COUNTY OF WESTERN NEW YORK ASSOCIATION**

BE IT RESOLVED, That the following members are hereby reappointed to Inter-County of Western New York Association for a term of one (1) year; effective January 01, 2013 through December 31, 2013:

Member

- Jerry Davis(T/Covington), 7414 Court Road, PO Box 445, Pavilion, NY 14525
- Larry Rogers (T/Pike), PO Box 82, Pike, NY 14130-0082
- John Knab, (T/Sheldon), 2246 Thomas Road, Varysburg, NY 14167

Alternate Member

- Jean Totslie, (T/Genesee Falls), 6940 River Road, Portageville, NY 14536
- Cheryl Ketchum, 6578 Pearl Street, Bliss, NY 14024

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**JOSEPH KUSHNER REAPPOINTED TO THE WYOMING COUNTY
COMMUNITY HOSPITAL BOARD OF MANAGERS**

BE IT RESOLVED, That Joseph Kushner (T/Eagle), 3468 E. Main St., Bliss, NY 14024 be hereby reappointed to the Wyoming County Community Hospital Board of Managers as the Supervisor Member for a term of one (1) year; effective January 1, 2013 through December 31, 2013.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULES “S” AND “G” AMENDED

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

Salary Schedule “S”:

Department of Social Services

- Set the salary of the **FISCAL ADMINISTRATIVE ASSISTANT** at \$37,146.00/annually; effective January 1, 2013.

Salary Schedule “G”:

District Attorney

- Set the salary of the **DOMESTIC VIOLENCE COORDINATOR** at \$35,567.00 (\$19,961 -57% VAWA & \$15,606 – 43% CVB)/annually; effective January 1, 2013. This change only represents a change in the VAWA portion of the salary.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 12-387 AMENDED

WHEREAS, Resolution Number 12-387 entitled, **“CHAIRMAN AUTHORIZED TO SIGN LETTERS OF UNDERSTANDING WITH CONTRACT AGENCIES FOR 2013,”** passed by this Board of Supervisors on December 11, 2012 which provides for 2013 County appropriations to the various County Contract Agencies; now therefore

BE IT RESOLVED, That Resolution Number 12-387 be hereby amended to eliminate Mercy Flight. All else remains the same.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

EMPLOYEES' GUIDELINES FOR INFORMATION SECURITY APPROVED

WHEREAS, The Director of Information Technology did present an updated Information Security policy and procedures manual for Wyoming County staff titled "Employee Guidelines for Information Security," and

WHEREAS, The Finance Committee of the Board of Supervisors did review the Employee Guidelines for Information Security and does recommend the approval of these Information Security policies and procedures; now therefore

BE IT RESOLVED, That the Employee Guidelines for Information Security is hereby adopted and annexed hereto; effective immediately.

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION CALLING FOR THE GOVERNOR AND STATE LEGISLATURE
TO COMPENSATE COUNTIES FOR STATE-MANDATED DISTRICT ATTORNEY
SALARY**

WHEREAS, Salaries of full time District Attorneys and the Clerks of the five boroughs of New York City are statutorily tied to those of New York State Judges and Justices in the Unified Court System; and

WHEREAS, When salaries increase for Judges and Justices, counties are mandated to raise the salaries of their District Attorneys as required under section 183-a of the Judiciary Law; and

WHEREAS, In 2012 the State Legislature increased the salary for Judges and Justices by 22 percent over a three year period; and

WHEREAS, This state-imposed salary increase has forced counties to increase pay for District Attorneys; and

WHEREAS, The Governor's 2013-14 Executive Budget proposal provides for the 100 percent reimbursement of the DA's salary increase for 2013; and

WHEREAS, Although the state pays the entire salary and benefits of judges and justices, the state only provides supplemental appropriations to counties to partially cover the cost of state-mandated pay for local district attorneys; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors joins the New York State Association of Counties (NYSAC) to call upon the State Legislature to enact the Governor's proposal to reimburse 100 percent of the DA's salary increase and to also reimburse counties for the entire amount of District Attorneys' mandated pay and its associated retirement and social security costs, leaving counties responsible only for any portion of District Attorneys' compensation that exceeds the state's mandated amount; and be it

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

Carried: Ayes: Noes: Absent: Abstain:

RESOLUTION NO. 13-
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION URGING THE NEW YORK STATE LEGISLATURE AND
GOVERNOR TO RESTORE STATE AID TO COMMUNITY COLLEGES AT THE
LEVELS REQUIRED BY NEW YORK STATE EDUCATION LAW**

WHEREAS, New York State Education Law Article 26 provides the methodology for funding community colleges under the State University of New York; and

WHEREAS, State Education Law provides for funding through state aid, a county sponsor contribution and student tuition and fees; and

WHEREAS, State Education Law requires the State of New York to assist in financing community college tuition costs; and

WHEREAS, Over the course of time, the State of New York has reduced the amount of state aid contributions due to state fiscal challenges and for some counties the state aid share does not exceed 18 percent of the community college operating budget; and

WHEREAS, In State fiscal year 2007-08 the State budget supported student base aid for SUNY and CUNY community colleges per full time student at \$2,675, the State fiscal year 2012-13 state budget included final base operating aid funding for community colleges at \$2,272 per full time student, representing a 15 percent reduction from prior state aid levels, not accounting for inflationary costs; and

WHEREAS, These State reductions are in addition to the elimination of State financial support to cover the costs of county charge backs related to bachelor and graduate degree programs at the Fashion Institute of Technology (FIT); and

WHEREAS, The reduction in state aid perpetuates New York State's actions of imposing increasingly more costs on county taxpayers and students in a manner that contradicts the intent of State Education Law; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors joins the New York State Association of Counties (NYSAC) to call on the Governor and State Legislature to gradually restore Community College base operating aid to the levels envisioned under New York State Education Law in order to maintain academic excellence and affordability at our community colleges; and be it

FURTHER RESOLVED, the Governor and Legislature should also restore the state aid reimbursement to counties for the chargeback cost of bachelor and graduate degree programs at FIT; and be it

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February 12, 2013
Page 2

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

Carried: Ayes: Noes: Absent: Abstain:

RESOLUTION NO. 13-
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO
ASSESS THE COST OF IMPLEMENTING EARLY VOTING AND TO FULLY
FUND ANY INCREASE IN COSTS TO COUNTY BOARDS OF ELECTIONS**

WHEREAS, A.689 (Silver)/ S.1461 (Stewart-Cousins) has been introduced in the New York State Legislature establishing early voting in primary, general and special elections in the State of New York; and

WHEREAS, This bill would allow early voting to take place up to 14 days before a general election and up to a week before a primary or special election, from 8:00 am until 7:00 pm on every early voting day including Saturday and Sunday; and

WHEREAS, County boards of elections would be required to select a minimum of five polling places throughout each county and provide election inspectors at each location; and

WHEREAS, County boards of elections would also be required to follow the same polling place protocols that are observed on election day on all early voting days; and

WHEREAS, There will be costs associated with staffing early voting locations, and printing and county paper ballots associated with early voting; and

WHEREAS, The 2 percent tax cap and insufficient relief from state-imposed mandates has placed an unprecedented strain on local governments to provide more services with less funding; now therefore

BE IT RESOLVED, That the New York State Association of Counties does hereby oppose the passage of legislation requiring counties to implement early voting; and be it

FURTHER RESOLVED, If the proposal is enacted, allow counties to opt-in to providing early voting opportunities and the State needs to fully fund the cost of early voting for those counties that provide early voting; and be it

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

Carried: Ayes: Noes: Absent: Abstain:

RESOLUTION NO. 13-
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE GOVERNOR, STATE LEGISLATURE AND
THE NEW YORK CONGRESSIONAL DELEGATION TO SUPPORT FEDERAL
LEGISLATURE THAT AUTHORIZES STATES TO REQUIRE THE COLLECTION
OF SALES AND USE TAXES ON SALES OF TAXABLE PRODUCTS AND
SERVICES INTO THEIR JURISDICTION BY REMOTE SELLERS**

WHEREAS, The ongoing expansion and maturity of Internet-based retailing, or E-commerce, continues to outpace the annual growth in regular "brick and mortar" retail sales; and

WHEREAS, E-Commerce has grown from about 1.5 percent of total U.S. retail sales to over 7 percent of total U.S. retail sales in just the last decade; and

WHEREAS, Projections over the next several years indicate that E-Commerce will continue to experience annual growth rates up to four times greater than brick and mortar sales; and

WHEREAS, Total E-Commerce sales are expected to reach \$250 billion in 2014; and

WHEREAS, A large number of Internet-based retailers do not collect sales taxes on the sale of their goods or services; and

WHEREAS, The growing migration of retail sales to the Internet, and mobile electronics, is creating an unfair competitive marketplace for many local brick and mortar retailers; and

WHEREAS, The State Streamlined Sales Tax Governing Board estimates that up to \$23 billion annually in sales taxes are not being collected nationally under the current system, severely impeding state and local government's revenue collections necessary to provide and fund critical public services; and

WHEREAS, Congress and the President have indicated their desire to improve the federal tax code by making it simpler and more fair, while removing obstacles that hinder economic growth and the efficient use of capital, along with modernizing the code to reflect the needs of our nation and economy in the decades to come; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors joins with the New York State Association of Counties (NYSAC) to hereby call on the Governor and New York State Legislature to strongly urge the New York Congressional Delegation to support legislation that authorizes states to require the collection of sales and use taxes on sales of taxable products and services into their jurisdictions by remote sellers, including hotel/motel room remarketers, as part of their federal tax code modernization efforts; and be it

FURTHER RESOLVED, That federal efforts to modernize the collection of sales tax

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across jurisdictions and modes of commerce include provisions that allow state flexibility in satisfying the streamlining and simplification of state and local sales tax models necessary to ease the burden for retailers to collect sales and use taxes on products and services sold over the Internet; and be it

FURTHER RESOLVED, That these federal efforts to modernize state sales tax collections should not dictate rates or mandate the imposition or elimination of sales taxes, and should not be combined with federal efforts to limit or restrict state taxing authority in other areas as our federal system depends on states retaining the responsibility and authority to manage their taxing policies to meet fiscal requirements; and be it

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

Carried: Ayes: Noes: Absent: Abstain:

RESOLUTION NO. 13-
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION URGING THE NEW YORK STATE LEGISLATURE TO HONOR
HOME RULE SALES TAX REQUESTS IN ORDER TO MEET THE INTENT OF
HOME RULE AUTHORITY GRANTED TO COUNTIES IN THE STATE
CONSTITUTION**

WHEREAS, Counties continue to face significant challenges in balancing their local budgets largely due to a significant drop in local revenues stemming from the recession and a continued weak economic recovery; and

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

WHEREAS, Local sales tax revenue is one of the two primary sources of revenue for county government; and

WHEREAS, Counties share more than \$1 out of every \$4 local sales tax dollars collected with cities, towns, villages and even local school districts to help these local governments pay for services delivered by these municipalities, or to directly lower the amount of property taxes levied in these jurisdictions; and

WHEREAS, The pass through of local sales tax revenue from counties to cities, towns, villages and school districts exceeded \$1.6 billion in 2011; and

WHEREAS, the State Legislature has made important steps in limiting future mandated cost increases to county taxpayers by capping the growth in local Medicaid costs effective in 2015 and through the creation of a new pension tier; and

WHEREAS, While these mandate relief initiatives are important, the overall growth in costs incurred by counties to support other state mandates, coupled with counties being required to absorb hundreds of millions of dollars in new state program costs since 2007, continues to outstrip the ability of counties to support rising costs; and

WHEREAS, County "home rule bills" generally seek authority and fiscal management flexibility from the State to implement and deliver State mandated programs and local public health and safety, economic development and "quality of life" services demanded by county residents; and

WHEREAS, The rejection of local home rule authority by the State Legislature requires county leaders to either:

1. Raise property taxes (which are already among the highest in the nation) to pay for state mandated spending because non-property tax alternatives, or sufficient relief from state mandated spending is not keeping pace with rising costs; or

2. Cut local quality of life services such as those that protect public safety, ensure the public health, encourage local economic development and care for our seniors and veterans in their communities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors joins the New York State Association of Counties (NYSAC) in support of the Governor's Budget proposal to allow counties to renew the extension of current county sales tax rates without State Legislative approval, which will eliminate unnecessary and duplicative legislative activity at the State and local level that is currently required under state law; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors supports further improvement to the county home rule process by allowing county elected officials to determine their own local sales tax rates commensurate with the permanent sales tax authority already granted to New York City without the need for State legislative renewals; and be it

FURTHER RESOLVED, Counties do not support State legislative proposals that require counties to undertake a voter referendum to change local sales tax rates; and be it

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

Carried: Ayes: Noes: Absent: Abstain:

RESOLUTION NO. 13-
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION CALLING FOR THE STATE LEGISLATURE AND THE GOVERNOR
TO ALLOCATE 9-1-1 SURCHARGE FUNDS TO COUNTIES TO SUPPORT 9-1-1 AND
PUBLIC SAFETY COMMUNICATIONS**

WHEREAS, The State of New York imposes a \$1.20 public safety surcharge on all wireless telephones, a surcharge created to be spent on 9-1-1 operations to help first responders to communicate and respond to emergencies; and

WHEREAS, After years of diverting the proceeds of this fund for non-public safety purposes, and to the detriment of local 9-1-1 centers, the State of New York has begun allocating more of these monies to counties in the form of Statewide Interoperable Communications Grants (SICG); and

WHEREAS, The 2013/14 Executive Budget Proposal, released on January 22, 2013 allocated an additional \$75 million to the SICG program; and

WHEREAS, While these grants were a welcome step in the right direction when they were first created, they have not helped deliver much needed funding to counties, as the State is years behind schedule in awarding these monies to counties, which need the funding to make upgrades to their emergency communications equipment and systems; and

WHEREAS, The Governor's office has announced plans to award \$102 million in funding through the SICG program previously appropriated in 2011-12 and 2012-13 State fiscal years, in order to expedite the release of prior year grant funding; and

WHEREAS, Counties and other municipalities are the actual providers of 9-1-1 services to the people of New York State and incur substantial costs to upgrade and maintain communications systems, as well as keep up to date with technological changes such as Next Generation 9-1-1 (NG 911), which is estimated to take 10 years to implement at a cost of approximately \$22 billion in New York State; and

WHEREAS, Most counties have been able to establish local surcharges to sustain their county's emergency communications needs; and

WHEREAS, New York State requires that each county that wants to establish a local 9-1-1 surcharge first obtain authorization in the form of State legislation, before they can create this local fee; and

WHEREAS, While nearly all counties have obtained the authority through the State Legislature to charge a local fee, a handful of counties remain unable to obtain such authorization to create a local surcharge, putting their local 9-1-1 centers at a financial disadvantage to meet the current emergency communications needs of their communities; now therefore

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Page 2**

BE IT RESOLVED, That the Wyoming County Board of Supervisors joins the New York State Association of Counties (NYSAC) to call upon the Governor to direct the Division of Homeland Security and Emergency Services to expedite the award of grant monies through the Statewide Interoperable Communications Grant program and to simplify and streamline the grant application and award process for counties to implement multi-year grant applications; and be it

FURTHER RESOLVED, that the Wyoming County Board of Supervisors calls upon the State Legislature and the Governor to pass legislation that authorizes all counties to create a public safety local surcharge to fund costs associated with the provision of 9-1-1; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls upon the State Legislature and the Governor to pass legislation that imposes the \$1.20 and \$0.30 local surcharges on pre-paid wireless phones as well as all devices capable of connecting to 9-1-1 and direct those monies to counties' 9-1-1 center operations; and be it

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

Carried: Ayes: Noes: Absent: Abstain:

RESOLUTION NO. 13-
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION CALLING ON GOVERNOR CUOMO TO IMPROVE PROBATION
AND ALTERNATIVES TO INCARCERATION IN NEW YORK STATE IN ORDER TO
PROTECT THE PUBLIC AND REDUCE RELIANCE ON PRISONS AND JAILS**

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 2011 from a 46.5 percent State share in 1990 to less than 12 percent in 2011, 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 the services county probation departments are required to provide; and

WHEREAS, The New York State Council of Probation Administrators, representing NYS 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; and

WHEREAS, In 2012, under direction from Governor Andrew Cuomo, Deputy Secretary for Public Safety Elizabeth Glazer and the Division of Criminal Justice Services (DCJS) engaged with the Council of State Governments Justice Center to examine the problems New York's Probation Departments face and generate solutions to promote better public safety through more effective probation; now therefore

BE IT RESOLVED, That NYSAC calls for the enactment of statutory and regulatory changes that improve probation and alternatives to incarceration (ATI) in the following ways.

1. Allow judges the ability to tailor a sentence of probation to the severity of the crime by creating flexible terms for felonies from 3-5 years and for misdemeanors from 2-3 years
2. Eliminates the mandate that pre-sentence investigations must be conducted when a sentence of up to one year in jail has been negotiated
3. In response to Violation of Probation Petitions (VOP):
 - a. Requires counties to develop swift, certain graduated responses

- b. Require the courts to dispose of the VOP's within go days
- c. Enable probation to administratively modify conditions of probation as required
- 4. Allow for the expansion and monitoring of ATI programs to ensure risk reduction programming is available to all pre trial offenders.
- 5. Reinvest the savings generated by policy changes back into Probation and ATI programming.

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

Carried: Ayes: Noes: Absent: Abstain:

RESOLUTION NO. 13-
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION OPPOSING THE GOVERNOR'S PROPOSAL TO LIMIT
INDUSTRIAL DEVELOPMENT AGENCIES' ABILITY TO GRANT STATE SALES
TAX EXEMPTIONS AS PART OF LOCAL ECONOMIC DEVELOPMENT EFFORTS**

WHEREAS, Currently, an industrial development agency ("IDA") may grant exemption from State sales and use taxes for projects that the IDA determines advance the job opportunities, health, general prosperity and economic welfare of the inhabitants of the county, region and the State; and

WHEREAS, IDAs can provide State sales tax exemption without State approval and must give notice to the State of the agent/project operator's appointment; and

WHEREAS, IDA's are uniquely created and organized to cooperate with local economic development groups and deal with state agencies, local businesses, job retention, job creation and grant inducements for economic development and stimulate economies of all sizes; and

WHEREAS, Governor Cuomo's proposed 2013-2014 Executive Budget contains a provision to restrict the authority of IDAs to provide State sales and use tax exemptions in the following ways:

- An IDA could only grant a State sales tax exemption to an agent or project operator that has been certified as a participant in the Excelsior Jobs Program, or is a business that would be eligible to participate in the Program,
- Eligibility in the Program is limited to certain types of firms, with specific criteria for job creation and capital investment for each type of firm,
- Before an IDA could award a State sales tax exemption, it would need to receive a determination from the Commissioner of Economic Development, in consultation with the Regional Economic Development Council, that the benefit plan is consistent with regional economic development strategies,
- An IDA would be prevented from providing a State sales tax exemption greater than that approved by the Commissioner of Economic Development,
- An agent or project operator would have to submit a claim for credit or refund to obtain a State sales tax exemption,
- An IDA would be required to send notice to the Tax Department when its appointment of an agent/project operator has expired or been revoked,
- An IDA would need to remit to the State any payments from a payment in lieu of taxes (PILOT) agreement for State sales and use taxes,
- If an IDA recaptures State sales and use tax monies from its agent or project operator, it would be required to turn such monies over to the NYS Commissioner of Tax and Finance,
- The bill would become effective immediately and apply to any IDA project, benefits or PILOT agreements established or revised on or after the bill's effective

date; now therefore

BE IT RESOLVED, that the New York State Association of Counties (NYSAC) opposes this proposal and calls for the legislature to reject these reforms due to the detrimental impact they would have on local economic development and job creation efforts; and be it

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

Carried: Ayes: Noes: Absent: Abstain:

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. A YEAR 2013

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 11th day of February, 2013, a proposed local law entitled, “Local Law Introductory No. A Year 2013, **“A LOCAL LAW TO AMEND LOCAL LAW 4, YEAR 2012”** 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 **12th day of March, 2013 at 2:30 PM in the Supervisors’ Chambers, 2nd Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.**

Carried: Ayes: Noes: Absent: Abstain: