

REQUEST TO CALL SPECIAL MEETING

To the Clerk of the Board of Supervisors:

You are hereby directed to call a Special Meeting of the Board of Supervisors of Wayne County, New York, to be held in the Supervisors' Chambers in the Court House in the Town of Lyons, New York, on **Tuesday, October 12, 2021 at 9:30 a.m.**, for the following purposes:

FIRST: The Board will meet then convene as a **COMMITTEE OF THE WHOLE** to discuss broadband and sales tax distribution.

SECOND: To hear, consider and act upon any other matter which may be brought to the Board in the same manner and to the same effect as if the Board were convened in regular session.

Dated at Lyons, New York
October 7, 2021

Kenneth F. Miller, Chairman
Wayne County Board of Supervisors

NOTICE OF SPECIAL MEETING

State of New York
Wayne County
Office of the Clerk of the Board of Supervisors

Upon direction of the Chairman of the Board of Supervisors of the County of Wayne, I do hereby call a Special Meeting of the Board of Supervisors of Wayne County, New York, to be held in the Supervisors' Chambers in the Court House in the Town of Lyons, New York, on Tuesday, October 12, 2021 at 9:30 a.m., for the following purposes:

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Dated at Lyons, New York
October 7, 2021

Kelley P. Loveless, Clerk
Wayne County Board of Supervisors

14th Day
Tuesday, October 12, 2021
9:30 a.m.

Pursuant to call, a Special Meeting of the Board of Supervisors was held in their chambers in the Court House, Chairman Miller presiding.

Upon roll call, all Supervisors were present except Supervisors Spickerman, Lasher and Chatfield who were absent this afternoon.

County Administrator Rick House and County Attorney Daniel Connors were also in attendance for this special board session called to order.

COMMITTEE OF THE WHOLE

The Board motioned out of their regular session to discuss the selection of a

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broadband partner and enter into negotiations for expansion of the County broadband system. Mr. Pincelli, Director of WC Economic Development and Planning Department, addressed the Board with a power point presentation on how the selection of a broadband provider was determined by the County's Broadband Review Committee.

In 2018, a countywide broadband study was completed to identify gaps in broadband coverage. At the time of the study, there were approximately 6,800 unserved households and 772 unserved broadband miles in the County. Some towns had less than 50% coverage. Following the study, a Broadband Review Committee was formed to discuss what steps would be necessary to close the gap in internet coverage in Wayne County. Numerous meetings were held with technology companies, Internet Service Providers (ISPs), and network solution providers to explore options and discuss technology and County's priorities.

Mr. Pincelli noted the State's desire to have broadband in every community, offering three rounds of funding for broadband expansion projects. The County issued Requests for Proposals (RFP) in July of this year to solicit solutions and identify a partner in the County's efforts to close the gap in broadband coverage. Charter Communications (Spectrum) and Wraithtek Inc. (Buffalo IT Services) were the only two qualified proposals received. The proposal from Charter Communications has a County cost of just over \$10 million; the proposal from Wraithtek Inc. cost \$13.8 million. Both proposals would close the gap and make broadband internet service available to every home in Wayne County. After review, discussion, and scoring from each broadband provider, the Review Committee recommended Charter Communications as the County's partner for this initiative. If approved, County representatives will work with Charter Communications to refine project details, negotiate specific terms, and collaborate to access all available funding sources.

Mr. Miller said he requested today's Special Meeting to make sure all Board members are up to date on the broadband project due to its high cost. Mr. Pincelli said a final proposal will be brought before the Board after details of the contract are worked out. The request coming before next week's Board is the next step in filling the gaps in accessible broadband service across the County.

Mr. Robusto questioned if the broadband project would meet current and future speed expectations. Mr. Pincelli said the County would not be purchasing yesterday's technology, and that the base internet plan currently offered by Charter Communications offers 'up to' 200 mb download speeds, which is considered to be a good modern-day level of service. Improvements to meet future market expectations are expected to be completed by the service provider and are being driven by the NYS merger agreement with Spectrum. All new service will be full fiber to the home; with an expectation that current coaxial service lines would be replaced as network speeds increase beyond current capabilities, with current capacity of existing service capable of reaching 1GB speeds.

Mrs. Jacobs stated residents in Walworth say they have slow service through Spectrum. Mr. Pincelli said current minimum service speeds from Spectrum should be adequate for work from home or education purposes with multiple users, but interruptions can happen. He also stated that connections to the home from the right of way in many cases are still coaxial, but delivery speeds of up to 1GB are still possible. Mr. Pincelli restated the primary goal of this project is to get service to every area in Wayne County, and as technology evolves, additional improvements to the network will be necessary to meet market expectations.

Mr. Groat, who sits on the Broadband Review Committee, said the request being made at next week's Board meeting is for the County to select a partner and to enter into negotiations for the expansion of broadband service. There will be another opportunity for Board members to review the final proposal, ask questions, and approve the final project scope and

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cost.

The Committee of the Whole also convened to discuss the distribution of County Sales Tax dollars. Mr. House noted the County appointed a Review of Sales Tax Distribution Committee consisting of himself, Fiscal Assistants Ken Blake and Brian Sams, and Supervisors Jacobs, Leonard and Johnson. Sales tax revenues were reviewed by administration during the 2022 budget process, as a portion of this County revenue is given to areas school districts, towns, and villages. Mr. Blake stated the only other county in the State to give a portion of their sales tax dollars to their schools is Erie. Wayne County has been giving a portion of their sales tax revenues to school districts since 1968. In 1991, the sales tax appropriation to schools was capped at \$5.4 million. Towns and villages in the County receive one-sixth of the sales tax collected by the County, about \$13 million. Mr. Miller stated the need for all Board members to 'be on the same page' with the sales tax distribution discussion; as he wants to resolve the issue, and have it stop being brought up before the Board.

Mr. Miller said he always questioned why one taxing entity shares their revenues with another. He would like to see each taxing entity have their true costs represented in their operational costs. Mr. House said if the funds are held back, the County would need to formulate a process for what will benefit the County as a whole.

Mr. Robusto questioned the benefit to taxpayers by doing this; as school taxes would increase and County taxes decrease; but overall tax costs would remain the same. Mrs. Leonard stated school districts operate under different taxing laws. Some districts include areas outside the County and each district has its own tax rate and different rates for localities in the school district. Mr. Blake said this results in approximately \$250,000 in County tax revenue going to school districts in other counties. The County's \$5.4 million appropriation is about 1.5% of school district budgets.

If the receipt of County sales tax dollars affects a school districts State Aid was questioned. Shawn Van Scoy, Superintendent of Gananda Schools, said State Aide revenue is based on personal and property wealth in a district, population, the number of special education students, the number of high school students, and the student/teacher ratio in a district.

Mr. Johnson said he would like to see a list of services the County provides schools besides the appropriation of sales tax dollars. Mr. House noted both mental and public health services in school districts, along with School Resource Officers are in all school districts. Mrs. Leonard said the Sales Tax Distribution Committee requested a list of these services several months ago and have yet to receive them. Mr. Blake said he would put together a list of all contracts the County has with school districts. Mrs. Leonard said she thought the Sales Tax Review Committee would be evaluating this distribution and report back to the full Board with their findings; however, only one meeting has been held. Mr. Miller stated there is no deadline; it is not the County's intention to act on this matter for their 2022 budget.

Mr. Miller said he would reach out to each Supervisor to obtain their opinion on how they would like to move forward with the distribution of sales tax dollars. Mrs. Leonard said she thought the Sales Tax Review Committee would be the group gathering information. Mrs. Jacobs said she would not be able to make a decision without additional information.

Supervisor Jacobs made a motion for the Board to come out of the Meeting of the Whole at 2:49 p.m., Supervisor Mr. Kolczynski Second.

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Respectfully submitted,
Debbie A. Liseno, Deputy Clerk

REGULAR SESSION

Supervisor Jacobs made a motion for the Board come out of the Meeting of the Whole at 10:37 a.m., Supervisor Kolczynski second.

ADJOURNMENT

The meeting of the Board will continue on **Tuesday, October 19, 2021 at 9:00 am.** Supervisor Johnson moved, seconded by Supervisor Leonard, that the board adjourn at 10:38 a.m. Carried.

Kelley P. Loveless, Clerk, Wayne County Board of Supervisors

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