

14th Day
Tuesday, July 16, 2015
9:00 a.m.

The regular meeting of the Board of Supervisors was held in their chambers in the Court House, Chairman Hoffman presiding.

The Pledge of Allegiance was led by Supervisor Spickerman, followed by Chairman Hoffman giving the invocation.

Upon roll call, all Supervisors were present. County Administrator James Marquette and County Attorney Daniel Connors were also present for this morning session of the board.

APPROVAL OF MINUTES:

Mr. LeRoy moved, seconded by Ms. Park, to waive the reading of the minutes of the previous meeting and approve them as distributed. Upon roll call, carried.

COMMUNICATIONS:

The Chairman requested a motion to waive the reading of the following communications received and to approve them as listed.

Copies of the Sheriff's Office Cash Receipts Reports dated June 17 and July 16, 2015 totaling \$11,348.45 were received.

Copies of the 'Financial Executive Summary for the Year ended December 31, 2014', including a report entitled 'Communicating Internal Control Related Matters Identified in an Audit', was received from Raymond F. Wager, CPA. These Documents were reviewed by the Finance Committee.

A letter was received from the NYS Department of Public Services, Michael Corso, Director of Consumer Services, regarding the release of a Staff Assessment Report of Telecommunications Services, further requesting public input for developing a comprehensive picture of the current state of telecommunications.

Assessment notifications on certain exempt properties from the Town of Palmyra were received per NYS requirements of Section 510 of the Real Property Tax Law.

A copy of Bishop Sheen Ecumenical Housing Foundation's annual report was received; along with a thank you letter for the annual financial support received from Wayne County.

An email letter to the full board was received from Denise DeValck, Wayne Action for Racial Equality (WARE) requesting the Board to consider an alternate paper designation, dropping the Times of Wayne County as one of the County's official designated publications, due to offensive editorials that have been published.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments, including the June 2015 warrants for accounts payable, totaling \$3,368,064.74 was received and filed.

Ms. Park moved, seconded by Mrs. Crane to receive and file the Communications for July. Motion carried.

PRIVILEGE OF THE FLOOR:

Chairman Hoffman opened the floor at this time for members of the public to address the Board of Supervisors on items listed on the agenda for action. There was no public comment on agenda items this evening.

PROCLAMATION

Deborah George, Director of Information Technology, read today's Proclamation of Appreciation for **Linda Wilsea – Assistant Director of Information Technology Operations**, on behalf of the Wayne County Board of Supervisors and the Information Technology Department, for her 47 Years of dedication service to Wayne County; and to extend best wishes to Linda for a very happy and healthy retirement.

RECESS:

Chairman Hoffman declared a 10 minute recess at 9:06 a.m.

REGULAR SESSION:

The Board resumed regular session at 9:16 a.m.

RESOLUTION NO. 408-15: APPROVE TAX ENFORCEMENT FEES FOR CALENDAR YEARS 2016, 2017 AND 2018

Ms. Park presented the following:

WHEREAS, New York State Law allows the County Treasurer to charge a tax enforcement fee of \$150 or more on each parcel in the property tax foreclosure process and, WHEREAS, this fee is to help offset the costs involved of the foreclosure, now therefore be it

RESOLVED that the Tax Enforcement Fee to be added by the County Treasurer is
2016 Calendar Year - \$150
2017 Calendar Year – \$150
2018 Calendar Year – \$150

Mrs. Marini moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, adopted.

RESOLUTION NO. 409-15: AUTHORIZATION TO ENTER INTO A CONTRACT WITH J.P. MORGAN CHASE BANK FOR A PROCUREMENT CARD PROGRAM

Ms. Park presented the following:

WHEREAS, the County's Fiscal Advisors have recommended that the County use Purchasing Cards to provide a cost-effective method of purchasing and remitting payment for approved expenditures; and

WHEREAS, a reduction in the number of checks issued each month will provide cost savings to County Taxpayers; and

WHEREAS, improvements in technology allow for greater controls over the cards and accountability; and

WHEREAS, J.P. Morgan Chase Bank provides a Purchasing Card program that will meet the needs of the county, with no annual card fee and the opportunity of an annual rebate upon meeting set spending levels; and

WHEREAS, upon execution of a contract with J.P. Morgan Chase Bank a pilot program with the Public Works Department (Buildings & Grounds and Highway) and Central Garage will run for a period of 90 days; and

WHEREAS, at the conclusion of the 90 day pilot program any adjustments to the policies and procedures for purchasing cards will be made and report will be given to the Finance Committee, before the program is opened up for use by all county departments; and

WHEREAS, the Policy and Procedure manual that has been developed for this program contains the requirements for each individual's accountability for purchasing card use and the department head's accountability for all cards assigned to their departments and spending limit authorizations, and

WHEREAS, the County Attorney's Office has reviewed and approved the Purchasing Card Contract with J.P. Morgan Chase Bank now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute a contract with J.P. Morgan Chase Bank for a procurement card program; and be it further

RESOLVED, that the Wayne County Purchasing Card Program User Guide and Policy Manual that is on file with the Clerk of the Board be adopted.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 410-15: PURCHASE OF TELEPHONE CONFERENCING SERVICE FOR ALL COUNTY DEPARTMENT BY INFORMATION TECHNOLOGY DEPARTMENT

Ms. Park presented the following:

WHEREAS, the county is in need of telephone conferencing capabilities; and
WHEREAS, NEXTIVA, INC. can provide telephone conferencing services to be shared
by all county departments; and

WHEREAS, the rates submitted by Nextiva Inc. are as follows:

Telephone conferencing service \$42.90 /month, Month to Month Contract
One time setup fee \$9.95

WHEREAS, the service has no long term commitment and can be terminated at any time
with no penalty; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby
authorized and directed to execute a contract on behalf of the County of Wayne, subject to the
County Attorney's approval as to form and content, with NEXTIVA, INC to provide
teleconferencing services at the rates listed above.

Mrs. Marini moved the adoption of the resolution. Seconded by Mrs. Deyo. Upon roll call,
adopted.

**RESOLUTION NO. 411-15: AUTHORIZATION TO ADVERTISE SEALED BIDS FOR
COUNTY-OWNED PROPERTY**

Ms. Park presented the following:

WHEREAS, pursuant to Resolution No. 291-14, certain properties acquired by the
County by tax deed were sold at the public auction sale held June 11, 2014; and

WHEREAS, said property owner, Paul Prutzman, aka Paul A Prutzman, aka Paul August
Prutzman, parcel #68110-09-053641; 730 Peirson Avenue, Newark, filed Chapter 13
Bankruptcy with the United States Bankruptcy Court Western District of New York; and

WHEREAS, the County of Wayne has been notified by the United States Bankruptcy
Court Western District of New York that an Order Dismissing Case No.:2-14-20747-PRW was
entered on June 19, 2015.

WHEREAS, the County of Wayne is the current owner of record for the above noted
property through 2012 foreclosure proceedings, the County of Wayne is requesting sealed bids
to purchase building and property located at 730 Peirson Avenue, Newark, New York

RESOLVED, that the Director of Real Property Tax Services is hereby authorized and
directed to advertise by sealed bid the following property:

| TOWN/VILLAGE | TAX ID# | LOCATION |
|---------------------|------------------------|----------------------------|
| NEWARK | 68110-09-053641 | 730 Peirson Avenue. |

RESOLVED, that the advertising shall run two times in the Times of Wayne County and
the Sun and Record and be in the same format, style and format as customarily utilized by
Real Property Tax Services in the tax foreclosure auction process. Said advertising charges
shall be a charge to Account A1364, "Expenses on Prop Acquired For", Line 54000; and be it
further

RESOLVED, all bids and deposits must be submitted with Wayne County's bid forms,
which are available at the Real Property Tax Services office and all bids, deposits and bid
forms must be submitted to the Wayne County Attorney's Office, 26 Church St, Lyons, NY
14489, no later than September 1, 2015 at 3:00pm.

Mr. Colacino moved the adoption of the resolution. Seconded by Mr. Kolczynski. Upon
roll call, adopted.

**RESOLUTION NO. 412-15: AUTHORIZE WAYNE COUNTY REAL PROPERTY TAX
SERVICES TO ISSUE A REQUEST FOR PROPOSALS (RFP) SEEKING COMPLEX
COMMERCIAL/INDUSTRIAL APPRAISAL AND CONSULTATION SERVICES**

Ms. Park presented the following:

WHEREAS, Wayne County and its Towns benefit from accurate and consistent
assessed values of real property located within Wayne County and individual municipalities;
and

WHEREAS, the Real Property Tax Services Department is desirous of having complex
commercial/industrial appraisal services performed by a licensed professional appraiser

(vendor) on an as needed basis: and

WHEREAS, the Real Property Tax Services Department will be looking for a vendor to perform appraisal and consultation duties involving the review of complex commercial/industrial properties located in the county in an effort to reduce Real Property Tax Article 7 filings; and

WHEREAS, the Real Property Tax Services Department is requesting authorization to solicit RFP's to contract the appraisal services out to a provider the specialized in this service, now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Wayne County Real Property Tax Service Department Director to release a Request for Proposals, for contracting of said services; and be it further

RESOLVED, that the Clerk of The Board of Supervisors is hereby authorized and directed to advertise for proposal(s) for Complex Commercial/Industrial appraisal services subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby designated and directed to publicly open the proposal(s) at the time and place specified in the proposal documents and to present a record of the proposal(s) at the next meeting of the Board of Supervisors following the proposal(s) opening.

Mr. Kolczynski moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 413-15: AUTHORIZE WAYNE COUNTY TO PARTICIPATE IN GSA ADVANTAGE PURCHASING COOPERATIVE FOR BEST VALUE/PIGGYBACKING PRACTICES FOR EQUIPMENT, SUPPLIES, AND SERVICES

Ms. Park presented the following:

WHEREAS, the County of Wayne wishes to improve the efficiency and effectiveness for the procurement of products and services that are necessary; and

WHEREAS, Cooperative purchasing, also known as piggybacking, allows municipalities and schools to secure cheaper costs for a particular product or service by using the same contract for a vendor that was used by any other government agency; and eliminating the competitive bid process; and

WHEREAS, certain enactments of Bill Numbers S.5525c, Chapter 308, and S3766A, which amends subdivision 16 of section 103 to the General Municipal Law, allows municipalities and school districts in New York to jointly contract for goods and services with any other federal, state or local government agency, as well as, giving political subdivisions the option of letting contracts based on "best value," as an alternative to letting contracts to the "lowest responsible bidder"; and

WHEREAS, the effects of said legislation gives public agencies additional opportunities to purchase products and services in an efficient and cost-saving manner; and

WHEREAS, purchasing cooperatives such as GSA Advantage have existing contracts with national vendors for commonly purchased products and services as the competitive bid process has already been completed for public agencies; now, therefore, be it

RESOLVED, that County of Wayne is hereby authorized to become a member of GSA Advantage on the basis of participation of taking advantage of the prices available through said contracts for compliant purchases at a valued rate.

Mr. Smith moved the adoption of the resolution. Seconded by Mrs. Deyo. Upon roll call, adopted.

RESOLUTION NO. 414-15: ACCEPTING BIDS FOR REAL PROPERTY AUCTION SALE

Ms. Park presented the following:

WHEREAS, pursuant to Resolution No. 295-15 certain properties acquired by the County by tax deed were sold at public auction sale held June 10, 2015; and

RESOLVED, that the Board of Supervisors have determined that it is in the best interest of the County to accept the bids listed below and such bids are hereby approved and accepted; the Chairman of the Board of Supervisors is hereby authorized and directed to execute a quit-

claim deed, along with any and all other required paperwork or forms for each parcel, subject to approval of the form of the deed by the County Attorney, and to affix the seal of the Board of Supervisors to such deeds; and the County Treasurer is hereby authorized and directed to record and deliver the respective deed upon receipt of the payments required by the terms and conditions of sale:

| TOWN | SEQ # | TAX MAP # | BIDDER | BID PRICE |
|----------|-------|-----------------|---|-----------|
| LYONS | 614 | 71111-05-153920 | Speary, Marcy K 5785 Coppersmith Tr Ontario, NY 14519 | \$ 2,000 |
| WALWORTH | 1582 | 63114-00-057548 | Joseph DiGravio 734 Five Mile Line Rd Webster, NY 14580 | \$ 2,600 |

Mrs. Marini moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 415-15: AUTHORIZATION TO ISSUE CHANGE ORDER FOR PICTOMETRY AND AMEND BUDGET

Mr. LeRoy presented the following:

WHEREAS, Resolution No. 012-15 awarded a bid to Pictometry, Inc. for Aerial Imaging and Related Services; and

WHEREAS, one of the Related Services was quoted at \$0.8 per parcel based on a parcel count of 37,553; and

WHEREAS, upon implementation of the project, the actual parcel count was determined to be 42,805, which has resulted in an increased cost of \$4,201.60; now, therefore, be it

RESOLVED, the Department of Emergency Management Services shall be authorized to issue a Change Order to Pictometry, Inc. in the amount of \$4,201.60; and be it further

RESOLVED, that the Treasurer is authorized to transfer said funds:

A1990 Contingency Fund General

(appropriations)

\$4,202 from 54000 Contractual Expenses

A3640 Emergency Management

(appropriations)

\$4,202 to .54400 Contracted Services

Mr. Colacino moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 416-15: AUTHORIZATION TO ENTER INTO MEMORANDUMS OF AGREEMENT WITH CIVIL SERVICE EMPLOYEE ASSOCIATION LOCAL 859 FOR THE PURPOSE OF REDEFINING THE E911 SHIFT SCHEDULE TO 12 HOUR SHIFTS

Mr. LeRoy presented the following:

WHEREAS, it has been determined by Wayne County that changing the shift schedule of E911 provides several advantages to Wayne County and the E911 staff which can be accomplished with no cost impact; and

WHEREAS, Article 12 Section 1.e of the current CSEA Wayne County Local 859 General Unit 9100-02 Contract and Article 12 Section 1.f of the current CSEA Wayne County Local 859 Supervisory Unit 9100 define the current E911 shift schedule; and

WHEREAS, the County and CSEA have met, discussed, and reached agreement that a new work schedule is advantageous; and

WHEREAS, the E911 employees represented by CSEA have voted their approval of

changing to the new work schedule; and

WHEREAS, both of the current CSEA collective bargaining agreements must be modified so that the new work schedule can be implemented effective January 1, 2016; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into a Memorandum of Agreement with CSEA Wayne County Local 859 General Unit 9100-02 for the purpose of modifying the 911 Dispatcher Shift Schedule, subject to approval by the County Attorney; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into a Memorandum of Agreement with CSEA Wayne County Local 859 Supervisory Unit 9100 for the purpose of modifying the 911 Supervisory Shift Schedule, subject to approval by the County Attorney.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, adopted.

RESOLUTION NO. 417-15: AUTHORIZATION TO AMEND HOMELAND SECURITY PROJECT ACCOUNT

Mr. LeRoy presented the following:

WHEREAS, Resolution 673-14 established a Project Account for the 2013 Homeland Security Grant; and

WHEREAS, this grant will be utilized to purchase tactical gear for paramedics, automatic external defibrillator, electronic dosimetry, communications equipment, various software and hardware to support Mobile Data Terminals and firefighter rehabilitation equipment; and

WHEREAS, it is necessary to amend the 2015 budget within the Project Account budget to accomplish these purchases; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to make the following budget adjustment:

H3918 Homeland Security

(Appropriations)

| Amount | Object# | Project ID | Object Name |
|---------------|---------|------------|------------------------------|
| \$14,543 from | .52000 | SHS13 | Equipment & Other Cap Outlay |
| \$12,143 to | .54475 | SHS13 | Software |
| \$ 2,400 to | .52201 | SHS13 | Computer Equipment |

and be it further

RESOLVED, that the Director of Emergency Management is authorized to make these expenditures in accordance with county purchasing policy.

Mr. Smith moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 418-15: AUTHORIZATION TO RELEASE RFP FOR TWO-WAY PAGING SERVICE

Mr. LeRoy presented the following:

WHEREAS, the Wayne County E911 Center is in need of improved situational awareness regarding the availability of Fire and EMS responders when an emergency exists; and

WHEREAS, it has been determined that the most expeditious method to accomplish this is by a two-way paging service that would allow responders to provide immediate feedback regarding their ability or inability to respond to an emergency call; now, therefore, be it

RESOLVED, that the Director of Emergency Management is hereby authorized to issue a Request for Proposal for a Two-Way Paging Service; and be it further

RESOLVED, that following the opening, the Director of Emergency Management shall review proposals and present a record of the Bids and subsequent recommendation to the Wayne County Public Safety Committee and the Board of Supervisors for final approval.

Mr. Kolczynski moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 419-15: AUTHORIZATION TO PURCHASE EQUIPMENT AND SOFTWARE WITH FORFEITURE FUNDS THE PROBATION DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Probation Department has received forfeiture money as a result of its participation in the USSS Computer Forensic Task Force; and

WHEREAS, a Trust and Agency Account (TE 2047) has been established to access said funds; and

WHEREAS, there exist a need to purchase equipment and software that would enhance Probation's Computer Forensic Program; now, therefore, be it

RESOLVED that the Probation Department is authorized to purchase the following equipment and software using funds from the Trust and Agency Account:

Hard Drives \$1,083.87

NUIX Forensic Software \$3,000.00

Mr. Kolczynski moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 420-15: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH CAYUGA COUNTY FOR THE HOUSING OF INMATES

Mr. LeRoy presented the following:

WHEREAS, Wayne County has had an agreement with Cayuga County for the housing of Cayuga County jail inmates in the Wayne County Jail since 2008; and

WHEREAS, said agreement has expired and Cayuga County is requesting to enter into another agreement for the housing of their inmates in the Wayne County Jail through December 31, 2016; and

WHEREAS, the Sheriff is requesting that Wayne County enter into another agreement with Cayuga County for the housing of Cayuga County Jail inmates in the Wayne County Jail, at a rate of \$85.00 per day, per inmate, through December 31, 2016; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and the Sheriff are hereby authorized to enter into an agreement with Cayuga County for the housing of Cayuga County jail inmates in the Wayne County Jail, at a rate of \$85.00 per inmate, per day, through December 31, 2016, subject to the County Attorney's approval as to form and content.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, adopted.

RESOLUTION NO. 421-15: AUTHORIZATION TO ACCEPT BIDS FOR THE RADIO INTEROPERABILITY PROJECT - PHASE II – ROSE TOWER – PACKAGE # 8

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the dismantling and disposal of one existing communication tower, and the purchase, construction, and installation of one self-supporting communications tower and associated communications shelter with security fence at the Rose Communications Site; and

WHEREAS, bids were publicly opened on Monday, July 6, 2015, at 2:00 p.m. and the following bids were received:

| Bidder Name and Address | Base Bid Amount |
|--|------------------------|
| Pyramid Network Services, LLC 6519 Towpath Road East Syracuse, NY 13057 | \$ 334,440.00 |
| Sabre Industries, Inc. | \$ 311,121.00 |

2101 Murray Street
Sioux City, IA 51111

Fred A Nudd Corporation \$ 240,000.00
1743 Route 104, PO Box 577
Ontario, NY 14519

Patriot Towers \$ 358,550.00
870 Scottsville-Chile Road
Scottsville NY 14546
and,

WHEREAS, the bids have been reviewed by the County Attorney and the Director of Emergency Management Services; now, therefore, be it

RESOLVED, pursuant to recommendation, the Wayne County Board of Supervisors hereby accepts the bid submitted by **Fred A Nudd Corporation**, and the Chairman of the Board is hereby authorized to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with **Fred A Nudd Corporation**, at a cost not to exceed \$ 240,000.00.

Mrs. Crane moved the adoption of the resolution. Seconded by Mrs. Deyo. Upon roll call, adopted.

RESOLUTION NO. 422-15: AUTHORIZATION TO PAY BUDGETED STIPENDS TO STOP-DWI COORDINATOR AND SECRETARY OF THE STOP-DWI PROGRAM

Mr. LeRoy presented the following:

WHEREAS, Resolution No. 409-13 merged the STOP-DWI Program into the Office of the Sheriff; and

WHEREAS, Sheriff Virts was designated as Coordinator of the STOP-DWI Program in 2013; and

WHEREAS, Betty Rose Chardeen is designated as the Secretary of the STOP-DWI Program; and

WHEREAS, as indicated in Resolution No. 651-13, the Sheriff did not draw a stipend for his duties as Coordinator during 2013 and 2014; and

WHEREAS, the stipend for the Coordinator is in the 2015 Wayne County Budget at an annual amount of \$10,400; and

WHEREAS, the stipend for the Secretary of the program has been set at \$3,700 annually; and

WHEREAS, authorization to pay the stipend has not previously been given for the Coordinator; and

WHEREAS, it is prudent to re-state the authorization for the stipend for the Secretary; and

WHEREAS, it is the desire of the Board of Supervisors to authorize the payment of the stipends effective January 1, 2015; and

WHEREAS, the stipends will be paid on a quarterly basis; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the payment of the budgeted \$10,400 annual stipend on a quarterly basis effective January 1, 2015 for the Coordinator of the Program; and be it further

RESOLVED, the Board of Supervisors authorizes the stipend payment of \$3,700 for the Secretary of the Program; and be it further

RESOLVED, the payment of the stipends for the first and second quarters of 2015 will be paid as soon as processing can be effectuated; and be it further

RESOLVED, that all stipend payments to the Coordinator of STOP-DWI Program will be made from account A3315.51021 Coordinator Stop-DWI and the Secretary of the Program from A3315.51081; and be it further

RESOLVED, that the above-referenced annual stipends will continue until such time as

altered, amended, or eliminated by resolution of the Board of Supervisors.

Mr. Smith moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 423-15: AUTHORIZATION FOR MUSEUM OF WAYNE COUNTY HISTORY TO INSTALL CONCRETE PAD ON COUNTY PROPERTY TO FACILITATE PERMANENT DISPLAY

Mr. Miller presented the following:

WHEREAS, the Museum of Wayne County History is located at 21 Butternut Street, Lyons, NY; and

WHEREAS, the Wayne County Historical Society has requested permission to install a concrete slab in front of the building so that a 1941 Chevrolet can be placed on display; and

WHEREAS, Sheriff Wright was the first Sheriff to initiate official Wayne County Sheriff's vehicles; and

WHEREAS, the 1941 Chevrolet would be detailed exactly like Sheriff Wright's car; and

WHEREAS, the County of Wayne owns the property; and

WHEREAS, the request has been reviewed by the Superintendent of Public Works and the County Administrator; neither found any negative aspects of the proposal; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby approves the request to install a concrete slab to facilitate the display of the 1941 Chevrolet as described herein.

Mr. Manktelow moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 424-15: AUTHORIZATION TO ACCEPT DONATED SURPLUS PROPERTY AT THE HIGHWAY FACILITY FROM THE NEW YORK STATE CANAL CORPORATION

Mr. Miller presented the following:

WHEREAS, the proposed highway roadway realignment at the Wayne County Highway facility will require a portion of property currently owned by the New York Canal Corporation; and

WHEREAS, the Superintendent of Public Works has met with Canal Corporation representatives to discuss the property needs; and

WHEREAS, the Canal Corporation is willing to donate the surplus property to Wayne County for its future use; and

WHEREAS, this request requires a \$95.00 processing fee; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign the Canal Corporation documents, subject to the County Attorney's review and approval, required to accept the surplus property at the Highway facility at 7227 Route 31 in Lyons.

Mr. Colacino moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 425-15: AUTHORIZE APPLICATION TO THE NYS ENVIRONMENTAL PROTECTION FUND FOR THE BLUE CUT NATURE CENTER PARK DEVELOPMENT PROJECT

Mr. Miller presented the following:

WHEREAS, Blue Cut Nature Center is the only nature center within the Wayne County Parks system, visited by thousands of residents and tourists every year and used for hiking, wildlife viewing, outings by youth groups and general recreational activities; and

WHEREAS, the amenities installed when the park was first opened in the 1970's have exceeded their useful lifespan and have deteriorated beyond usable condition; and

WHEREAS, there is a need for more recreational facilities within the County that will provide individuals with disabilities the opportunity to explore nature and enjoy the outdoors; and

WHEREAS, the proposed improvements are recommended in the Wayne County Parks and Recreationways Master Plan, which was adopted by the Wayne County Board of Supervisors in July 2012; and

WHEREAS, the proposed project will have a total project cost not to exceed \$180,000, with the value of the local match (in kind labor acceptable) not to exceed \$60,000; now, therefore, be it

RESOLVED, that the Wayne County Public Works Department is hereby authorized and directed to submit an application, with the assistance of the Wayne County Planning Department, for funding from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, and submitted through the Consolidated Funding Application process; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute all necessary documents required for such an application, and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property, subject to approval as to form and content by the County Attorney.

Mr. Manktelow moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 426-15: AUTHORIZATION TO DECLARE EQUIPMENT SURPLUS AND DISPOSE AT ONLINE AUCTION

Mr. Miller presented the following:

WHEREAS, the Buildings and Grounds department has an Alamo model SHD74 flail mower attachment that is no longer used, and

WHEREAS, the Superintendent of Public Works has determined that the Highway department also does not have a use for this unit, now, therefore be it

RESOLVED, that the Alamo model SHD74 mower attachment be declared surplus, and the Superintendent of Public Works is authorized to sell the unit at an upcoming online municipal auction.

Mr. Groat moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, adopted.

RESOLUTION NO. 427-15: AUTHORIZATION TO FUND THE B&G RELOCATION PROJECT, TRANSFER FUNDS FROM THE GENERAL FUND TO THE CAPITAL PROJECTS FUND, MAKE BUDGET ADJUSTMENTS, AND AUTHORIZE THE PROJECT FOR BID

Mr. Miller presented the following:

WHEREAS, the Wayne County Board of Supervisors adopted Resolution No. 545-13 authorizing an agreement with Hunt Engineers at a cost not to exceed \$20,000 for conceptual building design services for the relocation of the Buildings and Grounds Department to the Highway facility, and Resolution No. 797-14 authorizing an agreement with Hunt Engineers at a cost not to exceed \$40,000 to prepare final bid documents for the proposed expansion; and

WHEREAS, the 2015 Capital Plan includes \$550,000 for the Highway building expansion project; and

WHEREAS, Hunt Engineers has provided a cost estimate of 700,000 for the construction and relocation, and;

WHEREAS, the Superintendent of Public Works is expected to have a completed set of bidding documents by the end of August for said project; and

WHEREAS, this consolidation of administration personnel will allow a currently unfilled position to be eliminated which will provide an annual savings of approximately \$66,000; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to transfer \$700,000 from the Unassigned General Fund Balance; and be it further

RESOLVED, that the County Treasurer is authorized to make the following budget adjustments:

A9950 Transfer to Capital Fund Projects

(Appropriations)

\$700,000 to 52605 Highway Project - HWY14 Highway Building Expansion

H5106 Highway Building Expansion

(Revenues)

\$700,000 to 45031 Interfund Transfer – HWY14 Highway Building Expansion

(Appropriations)

\$700,000 to 52573 Architect/Engineer - HWY14 Highway Building Expansion

and be it further

RESOLVED, that the Superintendent of Public Works is authorized to advertise for bid once bidding documents have been completed and reviewed by the County Attorney.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Colacino.

Mr. Baldrige addressed the Board to say that he would not be supporting this relocation project as he indicated that the consolidation of the Highway and Building and Grounds Departments was to have saved the county money. He further noted that the expected revenues for sales tax are projected to be less as well as a decrease in the tax cap.

Mr. Marquette commented that the Public Works and Finance Committee discussed this project and projected a 12 year return on investments, including the elimination of a clerical position and a future rent charge as the vacated Building and Grounds structure will possibly house a county agency.

Upon roll call, all Supervisors voted Aye, except Supervisor Baldrige who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 428-15: SETTING DATE FOR PUBLIC HEARING ON A LOCAL LAW REPEALING LOCAL LAW NO. 7-2014 AND ENACTING THE WAYNE COUNTY PARKS LAW

Mr. Miller presented the following:

WHEREAS, the proposed local law establishing the Wayne County Parks Law has been duly presented to the Board of Supervisors; now, therefore, be it

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law of the State of New York, that a public hearing on the proposed local law shall be held by the Board of Supervisors on **Tuesday, September 15, 2015 at 7:05 p.m.** in the Supervisors' Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

**COUNTY OF WAYNE — STATE OF NEW YORK
INTRO NO. 6 - LOCAL LAW NO. _____ FOR THE YEAR 2015**

A Local Law repealing Local Law No. No. 7-2014, entitled "Establishing rules and regulations for County Parks" and enacting the Wayne County Parks Law.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

SECTION 1. TITLE

This local law shall be known as the Wayne County Parks Law.

SECTION 2. TEXT

WAYNE COUNTY PARKS LAW

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Section 1. Legislative Intent

The provisions set forth herein shall apply to and be in effect in all parks under the control, supervision and jurisdiction of the County of Wayne.

Section 2. Definitions

The following terms shall have the meanings indicated in this section:

- A. "County" shall mean the County of Wayne.
- B. "Board of Supervisors" shall mean the Board of Supervisors of the County of Wayne.
- C. "Committee" shall mean the Public Works Committee of the Wayne County Board of Supervisors.
- D. "Superintendent of Public Works" or "Superintendent" shall mean the Wayne County Superintendent of Public Works or his or her duly authorized agent or representative.
- E. "Law Enforcement Officer" shall mean any police officer, peace officer, Wayne County Sheriff's Deputy, New York State Trooper, or any other law enforcement official of the County of Wayne, the State of New York, or any other applicable jurisdiction having jurisdiction or authority to enforce this law.
- F. "Park" shall mean the grounds, buildings thereon, waters therein, boat launches, towpaths or trails, the Maxwell Creek parking lot and any other property necessary for the operation thereof, and constituting a part thereof, which is now or may hereafter be maintained, operated and controlled by the County of Wayne for public parking purposes.
- G. "Person" shall mean any individual, firm partnership, corporation or association of persons and the singular number shall include the plural.
- H. "Authorized Personnel" shall mean any person, department, or agency given the right to function by the Wayne County Board of Supervisors.

Section 3. Hours of Closing

Except as authorized by a permit granted by the Superintendent of Public Works pursuant to the provisions of

Section 30 of this law:

- A. No person shall remain, stop or park within the confines of any park, between the hours of dusk to dawn, prevailing local time in the County of Wayne except:
 - 1) in an emergency
 - 2) with a special permit of the Superintendent
- B. In case of an emergency or when in the judgment of the Superintendent the public interest demands it, any portion of a park may be closed to the public or the designated persons until permission is given to reopen.

Non-observance of Section 3 shall constitute a violation.

Section 4. Reservations

- A. Permits shall be required for the use of all park pavilions.
- B. Permits for use of park pavilions shall be issued on a first come, first served basis, at the Wayne County Department of Public Works office, 7312 Route 31, Lyons, New York, Monday through Friday from 7:00 a.m. to 3:30 p.m., except on legal holidays.
- C. Applicants for permits or reservations must be 21 years of age or over, and be a resident of Wayne County. All permits must be signed by the applicant prior to use of the pavilions. The signer of the permit shall be responsible for all damage to the park pavilion and agrees, as a condition for the granting of the permit, to indemnify the County of Wayne for all such damages.
- D. As a condition for granting a permit, the Superintendent of Public Works may require proof of insurance or a security deposit, in accordance with rules and regulations promulgated pursuant to Section Thirty-One herein.

Non-observance of the rules in Section 4 shall constitute grounds for denial or cancellation of any permit applied for or issued pursuant to this Section, and denial of applications for future permits, as set forth in Section Thirty-Two herein.

Section 5. Camping

- A. **CAMPING IS NOT ALLOWED**
- B. Special Camping Permits can be issued by the Superintendent of Public Works for camping in County Parks for special groups/organizations. (i.e. Boy Scouts and Girl Scouts Troops).
- C. When camping locations are made available within a park; rules and regulations particular to each location shall be promulgated pursuant to Section 31 herein.
- D. Permits for camping shall be issued by the Superintendent of Public Works or his designee. All requests must be in writing.

Non-observance of Section 5 shall constitute a violation.

Section 6. Disorderly Conduct

No person with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, shall:

- A. engage in fighting or violent, tumultuous or threatening behavior while in a park;
- B. make unreasonable noise in a park;
- C. use abusive or obscene language or make an obscene gesture while in a park;
- D. without lawful authority, disturb any lawful assembly or meeting of persons in a park;
- E. obstruct vehicles or pedestrian traffic in a park;
- F. congregate with other persons in a public place and refuse to comply with a lawful order of a law enforcement officer to disperse or leave the park;
- G. create a hazardous or physically offensive condition by any act which serves no legitimate purpose.

Non-observance of Section 6 shall constitute a violation.

Section 7. Harassment

- A. No person shall strike, shove, kick or otherwise subject another person to physical contact, or attempt to do the same, with the intent to harass, annoy, or alarm such other person.
- B. No person shall follow a person about a park with the intent to harass, annoy, or alarm such other person.
- C. No person shall engage in a course of conduct or repeatedly commit acts which alarm or seriously annoy such other person and which serve no legitimate purpose.
- D. No person shall threaten or menace any other person with any instrument or by using any animal to do the same, with the intent to harass, annoy, or alarm such other person.

Non-observance of Section 7 shall constitute a violation.

Section 8. Weapons and Explosives

Except as authorized by a permit granted by the Superintendent of Public Works pursuant to the provisions of Section 30 of this law:

- A. No person, except law enforcement officers, shall use, carry, or possess any firearm within the park, nor shall any person, except law enforcement officers, discharge any firearm within the park. This section shall not be applied in such manner as to preclude transitory possession of an unloaded firearm transported across or through county park property exclusively to gain access to and egress from a watercraft for the purpose of hunting, nor shall this section be applied in such manner as to preclude possession of an unloaded firearm which is otherwise secured in a locked compartment or other container within a motor vehicle which is located on park property.
- B. No person, except law enforcement officers, shall use, carry or possess any noxious materials (noxious materials for the purposes of this section shall be

defined as irritant gas dispensers, commonly called "Tear gas" or "Mace") within a park.

- C. No person shall use, carry, or possess air or gas guns, slingshots, bow and arrows, missiles or missile throwing devices unless such person is a participant in a program for which a permit has been obtained subject to Section Thirty below.
- D. No persons, except duly authorized personnel, shall use, carry or possess any fireworks or explosive substances within the parks.
- E. No person shall possess any other dangerous weapons within the park.

Non-observance of Section 8 shall constitute a violation.

Section 9. Loitering

No person shall loiter in or near toilets or rest room facilities within a park.

Non-observance of Section 9 shall constitute a violation.

Section 10. Commercial Activities, Signs, Advertisement, Banners

Except as authorized by a permit granted by the Superintendent of Public Works pursuant to the provisions of Section 30 of this law:

- A. No person shall solicit or engage in any business, trade, commercial transaction, or other activity within a park involving the sale of merchandise or services, or for which any fee, payment, donation or other consideration is required or requested, except pursuant to a duly authorized concession agreement or other agreement for park purposes which shall have been subject to the prior approval or authorization of the Board of Supervisors.
- B. No person shall post any political sign, political banner, or commercial advertisement of any kind within a park without prior approval of the Superintendent of Public Works.

Non-observation of Section 10 shall constitute a violation.

Section 11. Games Regulated

- A. No person shall engage in games involving thrown or propelled objects, such as footballs, baseballs, horseshoes, golf balls, Frisbees, or similar objects, except in areas designated for such usage, and then only subject to such rules and regulations as may be promulgated pursuant to Section 31 herein. All games of any description must be conducted in a safe and orderly manner and no rough or boisterous practices will be allowed. No one shall play games for which a permit or fee is required without first obtaining such permit and paying such fee.
- B. Notwithstanding the provisions of subdivision A, the use of lawn darts in the park is absolutely prohibited.
- C. No person shall ride on or use skateboards, roller skates, or ice skates within a park.
- D. Inflatable amusement equipment ("Bounce House"), "dunk tanks", etc. are not allowed.

Non-observance of Section 11 shall constitute a violation.

Section 12. Sophisticated Toys

Models, such as miniature planes, boats and cars, that produce loud noises or are hazardous, and flying drones shall not be operated within the confines of a park except pursuant to a permit issued by the Superintendent of Public Works.

Non-observance of Section 12 shall constitute a violation.

Section 13. Hunting, Fishing and Molesting Wildlife

- A. No person shall take or attempt to take any fish from or send or throw any animal or thing into a pond or any of the waters of a park, except with permission of the Superintendent of Public Works, and with the exception that fishing may be permitted in season, in certain park waters designated by the Superintendent of Public Works. No person shall kill, injure, or unnecessarily

disturb any fish, waterfowl, birds or animals. No person shall hunt, pursue with dogs, trap, or in any other way molest any wild bird or animal found within the confines of a park, or rob or molest any bird's nest or take the eggs of any bird.

- B. Notwithstanding the provisions of subdivision A, the Superintendent of Public Works is hereby authorized to grant limited permits for the trapping of wild animals in County parks if the Superintendent, after consulting the appropriate officials of the State Department of Environmental Conservation, certifies to the Board of Supervisors that the health, safety and welfare of residents of the County of Wayne are or may be adversely affected unless limited trapping of wild animals is permitted in one or more parks. The number and duration of such permits shall be only such as is necessary, in the opinion of the Superintendent of Public Works, to correct any circumstances that have caused or contributed to a threat to the public health, safety and welfare. The Board of Supervisors shall promulgate rules and regulations governing the issuance, supervision and termination of such permits. All permits issued pursuant to this subdivision shall be in accordance with the rules and regulations promulgated by the Board of Supervisors, and shall be consistent with all applicable provisions of the New York State Environmental Conservation Law and the regulations pertinent thereof.

Non-observance of Section 13 shall constitute a violation.

Section 14. Preservation of Property and Natural Features

- A. No person shall injure, damage, destroy, deface, disturb, remove or befoul any part of a park, nor any building, structure, sign, equipment or other property therein.
- B. No person shall write, paint, mark, carve or otherwise deface any part of a park, including but not limited to any tree, bench, building, structure, sign, equipment or other property therein.
- C. No person shall remove, injure or destroy any tree, flower, shrub, rock, mineral or other natural feature within a park.

Non-observance of Section 14 shall constitute a violation.

Section 15. Littering, Rubbish, Garbage, Sewage and Noxious Materials

- A. No person shall bring into, drop, deposit, dump or leave behind any rubbish, garbage, ashes, paper, cardboard, metal cans or other metallic substances, bottles, glassware, or any other refuse, waste material or other unwanted material of any kind in a park; except that any such materials resulting from picnics, camping, or other permitted activities shall be deposited in receptacles, pits or other containers provided for such purpose.
- B. No person shall abandon any motor vehicle, or other equipment or property of any kind in a park.
- C. No person in a park shall discharge into, throw, cast, lay, drop or leave any substance, matter or thing, either liquid or solid in any river, brook, stream, pond, storm sewer or drain in a park.

Non-observance of Section 15 shall constitute a violation.

Section 16. Alcohol Beverages are Restricted at All County Owned Parks

No person shall consume, or possess with intent to consume, any alcoholic beverage, as defined by Section 3 of the Alcoholic Beverage Control Law of the State of New York, in a park, without first obtaining a permit granted by the Superintendent of Public Works pursuant to the provisions of Section 30 of this law. Any permit to be issued by the Superintendent of Public Works for consumption and possession of alcoholic beverages at or for a public function or event (i.e. a function or event open to members of the general public and not restricted by membership) shall require proof of insurance Event Coverage naming/endorsing the County of Wayne on the Certificate of insurance as an

Additional Insured, and the use of facilities permit shall further require indemnification of the County of Wayne by the organizers of the function or event. Non-observance of Section 16 shall constitute a violation.

Section 17. Animals

Except as authorized by a permit granted by the Superintendent of Public Works pursuant to the provisions of Section 30 of this law:

- A. No person shall bring into, permit, have, or keep any animal in a park, except that dogs and cats are permitted if held in control by a leash not more than eight (8) feet long.
- B. Notwithstanding the above, cats and dogs are prohibited in all swimming areas, beaches and grass areas.
- C. Animals required for assistance of the handicapped are exempt from the provisions of subdivision B of this Section.
- D. No animal shall be left unattended in a park.
- E. Any individual bringing dogs or cats into a park shall be required to pick up and deposit in proper receptacles all solid waste from said animals.

Non-observance of Section 17 shall constitute a violation.

Section 18. Swimming, Swimming Areas and Beaches

- A. No person shall bathe, wade or swim within any park except at beaches therein as may be designated for that purpose by the Superintendent of Public Works and suitable swimming attire shall be required.
- B. No person shall carry onto, possess, scatter or throw on any beach a bottle, can or container of any kind, or broken glass, container caps, or other closure devices.
- C. The use of life rafts, inner tubes, and other objects intended to support persons is prohibited.
- D. No person shall operate a boat, surfboard, water skis, or similar aquatic equipment closer than 100 feet to a swimming area.
- E. No person shall permit a diapered infant to wade, bathe, or swim in park waters. Except as provided in Section 17, animals are prohibited in all swimming areas and beaches.

Non-observance of Section 18 shall constitute a violation.

Section 19. Boating

- A. Boating in or adjacent to a park is permitted only in areas designated for such use, and then only in strict compliance with all applicable federal, state, and municipal laws and ordinances and subsection D of Section 18 of this law. No person shall operate, row or paddle a boat or canoe in or upon park waters unless able to handle the same with safety to himself and other occupants thereof, and in such manner as not to annoy or endanger the occupants of other boats or canoes. No person shall stand up in or rock a rowboat or canoe, make a raft of boats or canoes.
- B. No person except those in the employ of the County of Wayne acting within the scope of their duties shall, without written permission from the Superintendent of Public Works, place or propel upon the waters in any park any float, boat, or other water craft, or land from any boat at a place not designated by the Superintendent for that purpose.
- C. Docking a boat overnight is not permitted. Boat trailers shall not be left overnight.

Non-observance of Section 19 shall constitute a violation.

Section 20. Fires, Picnic, Cooking

- A. No person shall start or use a fire on park property except in designated areas and facilities. No fire shall be left unattended.
- B. No person shall picnic or cook in any area not designated by the

Superintendent for that purpose.
Non-observance of Section 20 shall constitute a violation.

Section 21. Bicycles

Riders of bicycles shall comply with all laws relating to bicycles in the New York State Vehicle and Traffic Law, and with all rules concerning vehicles contained in the Wayne County Parks Law and in addition thereto shall be subject to the following rules:

- A. No person shall ride a bicycle upon the lawns or foot trails of a park where posted that such use is prohibited.
- B. Bicycles shall be ridden in the extreme right hand lane of park roads.
- C. A bicycle shall not be towed by a rope or otherwise, nor shall any rider hold onto any moving vehicle for the purpose of being drawn along.
- D. No bicycle shall be pushed upon any park road where an adjoining foot walk is available.
- E. Infants, children or extra passengers shall not be carried on bicycles in any manner whatsoever, unless such vehicle is equipped with a separate seat for that purpose.
- F. Children under the age of 12 years, riding small bicycles (wheels less than 20 inches in diameter) may use the foot walks.
- G. Wherever possible bicycles shall be parked in places provided for such purpose.

Non-observance of Section 21 shall constitute a violation.

Section 22. Snowmobiles, Off-Road Vehicles, All Terrain Vehicles and Limited Use Vehicles

- A. No person shall operate a snowmobile within a park other than on a path or trail specifically designated as one allowing use of snowmobiles. A snowmobile shall be defined as any self-propelled vehicle designed for travel on snow or ice, steered by skis or runners and supported in whole or part by one or more skis, belts or cleats.
- B. No person shall operate any motor powered off-road vehicle, all-terrain vehicle, or limited use vehicle in any part of a park, except that off-road vehicles or limited use vehicles properly registered in accordance with the New York State Vehicle and Traffic Law, may be operated on park roads and parked in park parking lots in accordance with the provisions of Section Twenty-Five. Off-road vehicles, all-terrain vehicles or limited use vehicles shall include, but are not limited to, four-wheel drive vehicles; vehicles equipped for operation in or on sand, mud, snow, gravel, or wetland; dune buggies; motorcycles or mini-bikes equipped for off-road usage; dirt bikes, golf carts, tractors, lawnmowers, or any similar type of vehicle or conveyance, except for vehicles used for park maintenance by authorized personnel.

Non-observance of Section 22 shall constitute a violation.

Section 23. Indecent Conduct and Exposure

- A. No person shall intentionally expose the private or intimate parts of his or her body in a lewd manner or commit any other lewd act.
- B. No person shall appear in a park in such manner that the private or intimate parts of his or her body are unclothed or exposed. This Section shall not apply to the breast feeding of infants.

Non-observance of Section 23 shall constitute a violation.

Section 24. Compliance with Orders of Policing Agencies

No person shall fail or refuse to comply with any order relating to the regulation of activities hereunder, or the enforcement of provisions of this law, lawfully given by any law enforcement officer.

Non-observance of Section 24 shall constitute a violation.

Section 25. Use of Motor Vehicles

- A. No person shall drive any automobile, motorcycle or other motorized vehicle

upon any part of a park except for the proper drives and parking areas, or permit the same to stand upon the drive or any part thereof so as to congest traffic or obstruct the drive. Paths established as foot paths, or bicycle paths shall not be used for motorized vehicular traffic.

- B. No person shall cause any taxi, bus, limousine or other vehicle for hire to attend any part of a park for the purpose of soliciting or taking passengers or persons other than those carried to a park by said vehicle.
- C. No person shall cause any bus with or without passengers, nor any cart, wagon, truck or trailer or other vehicle carrying goods, merchandise, manure, soil or other articles, or solely in use for the carriage of goods, merchandise, manure or other articles to enter or to be driven in any part of a park. This Section shall not apply to vehicles engaged in construction, maintenance, or operation of a park or parkway, to vehicles making deliveries to a park, or to buses under the permit of the County of Wayne.
- D. It shall be the duty of every person operating an automobile, motorcycle, or other motorized vehicle within a park to comply with. (1) the New York State Vehicle and Traffic Law; (2) the applicable traffic ordinances of the County of Wayne and the towns and villages in Wayne County; and (3) all orders, directions and regulations issued by law enforcement officers or officially displayed on any post, standard, sign or device installed for the regulation of traffic.
- E. No vehicle shall be operated on any road or drive in a park at a speed exceeding five (5) miles per hour, unless otherwise posted. The Superintendent shall cause signs to be erected along such roads or drives indicating such speed limits.
- F. No vehicle shall pass another vehicle preceding the same direction if the center of the road is marked with a double solid line.
- G. One-way traffic. In certain areas there may be one-way traffic. It will be so posted and must be followed.
- H. Where the Superintendent of Public Works has caused certain intersections of park drives or roadways to be marked with stop signs, no person shall operate any vehicle except authorized emergency vehicles over or across such intersection without first bringing such vehicle to a complete stop at or near the stop sign.
- I. Parking of any vehicle shall not be allowed on any of the park roads or parking areas during the hours that the park is not open to the public. No person shall park, stop or leave standing any vehicle in any area within a park except during the time he or she remains in the park.
- J. The term "parking" as used herein shall be defined as the standing of any vehicle, whether occupied or not, unless standing in obedience to traffic regulations or signals or while actively engaged in loading or unloading.
- K. The County of Wayne shall erect suitable signs on roadways and in parking areas which signs shall indicate where parking is authorized or not authorized.
- L. No person shall operate a vehicle along or over any road, drive or other property within a park in a reckless manner or without due regard for the safety and the rights of pedestrians, drivers and occupants of all other vehicles, so as to endanger the life, limb or property of any person while in the lawful use of park facilities.
- M. No person who is under the influence of alcohol or a controlled substance, as defined in the New York State Penal Law shall operate any vehicle within a park.
- N. No person shall drive, move, cause, or knowingly permit to be driven or moved within a park, any vehicle or combination of vehicles which is in unsafe condition so as to endanger any person or property.

O. No person shall use or shine spotlights or unnecessarily or continuously shine automobile headlights on or into park lands, except under direction of a law enforcement officer or where necessary for the preservation of life or property. In addition to and not in derogation of the penalties prescribed by applicable statute, rule, regulation or ordinance, non-observance of any subdivision of Section 25 shall constitute a violation.

Section 26. Parental Responsibility

No parent, guardian or custodian of any minor shall permit or allow him or her to do any act which would constitute a violation of this law, and such persons shall be jointly and strictly liable for the actions of said minors in their care. Non-observance of Section 26 shall constitute a violation.

Section 27. Air Gliding

Except as authorized by a permit granted by the Superintendent of Public Works pursuant to the provisions of Section 30 of this law: Park property shall not be utilized for ascending or landing of any aircraft, nor shall park property be used for parachuting, hang gliding, hot air ballooning, or similar activities. Non-observance of Section 27 shall constitute a violation.

Section 28. Fees

The Board of Supervisors, by resolution, from time to time as it deems appropriate, may establish fees to be charged for utilization of park facilities.

Section 29. Park Season

The Superintendent of Public Works is hereby empowered and directed to open and close the parks in the spring and fall of each year. The Superintendent may, in his discretion, direct the closure of any park or any portion thereof if such action is for the purpose of protecting park properties from damage, or in the interest of protecting the health, safety, and welfare of persons utilizing park properties.

Section 30. Permits

- A. The Superintendent of Public Works is authorized and empowered to grant and issue permits for the activities described in Sections 3, 4, 5, 8, 10, 12, 13, 16, 17 and 27 of this law.
- B. (1) Subject to the provisions of subdivision A, above, the Superintendent of Public Works is authorized and empowered to grant and issue permits authorized or required by rules and regulations promulgated pursuant to Section 31 of this law and such permits or written permission as may be necessary to effectuate or implement the provisions of this law.
 - (2) Permits for the use or occupancy for park purposes of park property or facilities, not authorized by subparagraph A, above, and which may involve an extended term or an indefinite term subject to termination, shall be issued by the Superintendent only upon the prior approval and authorization of the Board of Supervisors.
 - (3) As a condition for granting a permit, the Superintendent may require proof of insurance or a security deposit, in accordance with the rules and regulations promulgated pursuant to Section 31 herein.
 - A. All permits issued by the Superintendent shall be in writing, and shall be signed or authenticated by the Superintendent, or his or her duly authorized agent. All such permits and use of park facilities pursuant thereto shall be subject to the terms and conditions contained therein, and to all applicable provisions of this law; all applicable rules and regulations promulgated pursuant to this law; and all other applicable laws of the United States of America, the State of New York, the County of Wayne, and any other municipality having jurisdiction.
- C. Any violation of the terms and conditions of a permit issued hereunder, of this law or any rules and regulations promulgated pursuant thereto, or any other applicable laws, shall constitute ground for the immediate revocation of such permit by the

Superintendent of Public Works, or his or her authorized representative, which revocation shall be immediate, final and without appeal. No permit for the same purpose shall be issued to any person or persons whose permit has been revoked hereunder for a period of one year following the date of such revocation.

Section 31. Rules and Regulations

- A. The Superintendent of Public Works is authorized and empowered to promulgate rules and regulations concerning the activities described in this law; such further rules and regulations as may be necessary to effectuate or implement the provisions of this law; and such additional rules and regulations as may be authorized or directed by the Board of Supervisors.
- B. All rules and regulations promulgated hereunder by the Superintendent of Public Works shall become effective only upon approval by the Board of Supervisors.
- C. Reasonable efforts shall be made by the Superintendent of Public Works to reproduce, post, make available, distribute, and publicize all rules and regulations hereunder.
- D. Copies of this local law shall be made available at the Public Works Department, 7312 Route 31, Lyons, NY or online at www.co.wayne.ny.us/departments/bldggnds.htm (select the Parks Law pdf).

Section 32. Penalties

Any person convicted of a violation of this local law shall be subject to a fine not to exceed \$100, or by imprisonment for a term not to exceed fifteen (15) days, or by both such fine and imprisonment, and in addition shall forfeit the right to apply for future permits for a period of one (1) year.

Section 33. Severability

If any provision of this law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation to the particular provision directly involved in the controversy.

SECTION 3. CONFLICT OF LAW

Local Law No. 2 of 1981, Local Law No. 14 of 1987, Local Law No. 3 of 1989, Local Law No. 7 of 2014, and all resolutions establishing rules and regulations for Wayne County parks adopted by the Wayne County Board of Supervisors prior to the date of the adoption of this local law are repealed.

SECTION 4. EFFECTIVE DATE

This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Hammond.

Mr. Miller amended the resolution, seconded by Mr. Smith, to insert the date and time for the public hearing. Motion carried.

Upon roll call, adopted.

RESOLUTION NO. 429-15: AUTHORIZATION TO ENTER INTO AGREEMENT WITH ONTARIO COUNTY FOR A BRIDGE PAINTING PROJECT

Mr. Miller presented the following:

WHEREAS, the Genesee Transportation Council (GTC) has committed funding for a bridge painting project on several bridges in Wayne and Ontario Counties; and

WHEREAS, the proposed project includes South Creek Road (Palmyra), South Street

(Red Creek), and

WHEREAS, Ontario County has agreed to be the Project Sponsor and will require an agreement with Wayne County for repayment of the local share; and

WHEREAS, the local share of the project will be a maximum of 20% and a minimum of 5% of the Wayne County bridge costs, which are estimated to be \$335,000; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an agreement with Ontario County, subject to the County Attorney's review and approval, for the repayment of Wayne County's local share of the bridge painting project.

Mr. Smith moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 430-15: RESOLUTION AUTHORIZING INDUSTRIAL DEVELOPMENT SITE FUNDS FOR IMPROVEMENTS TO SEWER LINE

Mr. Spickerman presented the following:

WHEREAS, the Board of Supervisors has established the Industrial Development Site Fund Program to promote industrial expansions within the County for the purposes of enhancing the economic welfare and prosperity of the County by increased employment and tax base growth; and

WHEREAS, HP Neun has made major capital investments over the last four years for facility improvements at the Lyons facility, along with equipment investment, creating 77 new jobs, 7 above their initial goal; and

WHEREAS, ongoing sewer issues have plagued the facility and its efficiency since the project's inception, causing the company to consider moving into an adjoining county where they own significant manufacturing space; now, therefore, be it

RESOLVED, that, the County shall provide funding from the Industrial Development Site Fund to the Wayne County Industrial Development Agency to assist with the improvements to the sewer line, the total not to exceed \$7500, to be distributed at such time as the local municipalities have shown an equal expenditure of funds or in-kind, along with a matching amount invested in the sewer line improvement by the company; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute any agreements or documents necessary to implement the resolution on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

Ms. Park moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, adopted.

RESOLUTION NO. 431-15: ACCEPTING APPLICANTS INTO THE WAYNE COUNTY LATERAL CONNECTION AND WELL/SEPTIC REPAIR ASSISTANCE PROGRAM

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne was awarded a \$745,300 Community Development Block Grant (CDBG) administered by the New York State Office of Community Renewal on April 17, 2014; and

WHEREAS, this grant is intended to fully fund a project to install lateral connections or improve/repair septic and/or wells on properties in Wayne County; and

WHEREAS, Wayne County accepted this grant through resolution 326-14; and

WHEREAS, Wayne County authorized the acceptance and review of applications by the Economic Development and Planning Department through resolution 449-14; and

WHEREAS, the following applicants have submitted applications that have been determined to be both complete and eligible based on the approved Program Guidelines:

56William Matteson, 1681 Paddy Lane, Ontario

57Anitha Jackson, 6435 Peoples Rd, Sodus

now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors accept these applicants into

the Wayne County Lateral Connection and Well/Septic Repair Assistance Program.

Mr. Kolczynski moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, adopted.

RESOLUTION NO. 432-15: SUPPORT FOR CANALWAY TRAIL PROJECT PROPOSAL TO THE UPSTATE REVITALIZATION INITIATIVE

Mr. Spickerman presented the following:

WHEREAS Resolution 325-15 recognized the Canalway Trail as a unique historical attraction of world-wide importance, generating considerable visitation and tourism revenues for our communities and the region as a whole and that the World Canal Conference will be held on the Erie Canal in June, 2017, attracting hundreds of international delegates; and

WHEREAS, the Supervisors requested that the Finger Lakes Regional Economic Development Council recognize the importance of the Erie Canalway Trail in the upcoming Upstate Revitalization Plan for the Region; and

WHEREAS, the Towns of Lyons, Galen and Savannah and the Village of Clyde passed resolutions of support for a Canalway Trail extension project; and

WHEREAS, the Department of Economic Development and Planning has developed a project proposal that includes utilizing the County-owned linear park system assets as an in-kind match for leveraging State funding for the trail development; now, therefore, be it

RESOLVED, that Board of Supervisors authorizes the Department to submit the Upstate Revitalization Initiative "Intent to Propose" a Canalway Trail project for inclusion in the Finger Lakes Upstate Revitalization Initiative Plan, pending approval by the County Attorney as to form and content.

Mr. Kolczynski moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

RESOLUTION NO. 433-15: AUTHORIZATION TO AMEND CONTRACT WITH TRANE

Mrs. Crane presented the following:

WHEREAS, the County of Wayne and TRANE entered into an agreement on or about January 17, 2013 pursuant to which the County hired TRANE to perform certain energy savings for a term of twenty (20) years following the implementation thereof; and

WHEREAS, the County first issued an RFP (Request for Proposals) before contracting with TRANE which contained an Article IV providing that the County of Wayne made all contract awards resulting from the RFP available to other political subdivisions of the State of New York in accordance with New York State County Law Section 408-a; and

WHEREAS, New York State County Law Section 408-a (2) requires that the Board of Supervisors authorize the inclusion of a provision in a purchase contract for goods or services, other than services subject to Article Nine of the Labor Law, allowing purchases to be made or services to be obtained under such contract by other political subdivisions in order for such other political subdivisions to "piggy-back" on such contract; and

WHEREAS, the contract entered into between the County of Wayne and TRANE did not include a specific provision allowing other political subdivisions to contract with TRANE for services under the contract, despite the intent so expressed in the original RFP; and

WHEREAS, an amendment to the contract between the County of Wayne and TRANE is now necessary in order to include a provision allowing other political subdivisions to "piggy-back" on this contract and to purchase goods and services from TRANE under this contract; now therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an amendment to the existing Contract between the County of Wayne and TRANE to perform certain energy conservation measures and to guarantee certain energy savings for a term of twenty (20) years following the implementation thereof to allow other political subdivisions to make purchases of goods or services under said contract in accordance with the requirements of New York State County Law Section 408-a.

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll

call, adopted.

RESOLUTION NO. 434-15: AUTHORIZATION TO REDEFINE HEALTH CARE PLAN CONTRIBUTIONS FOR ALL DEPARTMENT HEADS AND ALL FULL TIME ELECTED OFFICIALS

Mrs. Crane presented the following:

WHEREAS, resolutions 1012-03, 989-05, and 990-05 established the requirement that Department Heads and all full time Elected Officials contribute to the cost of the County health care coverage that they select; and

WHEREAS, currently Department Heads and full time Elected Officials contribute 20% toward the cost of health insurance plans regardless of the plan selected; and

WHEREAS, all other County employees who select a single health care plan contribute 10% of the cost of the plan; and

WHEREAS, all other County employees who select a two-person or a family health care plan contribute 20% of the cost of the plan; and

WHEREAS, the County promotes internal equity by applying the same benefit structure to Managerial/Confidential employees as it applies to employees in the various bargaining units; now, therefore be it

RESOLVED, that Department Heads and all full time Elected Officials who select a single health care plan will contribute 10 (ten) % of the cost of the selected plan; and be it further

RESOLVED, that Department Heads and all full time Elected Officials who select a two-person or a family health care plan will continue to contribute 20% of the cost of the plan; and be it further

RESOLVED, that this redefined contribution level for those selecting the single health care plan shall take effect with the first payroll period that begins after adoption of this resolution; and be it further

RESOLVED, that these contribution levels shall not be applied retroactively.

Mr. Spickerman moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

RESOLUTION NO. 435-15: AUTHORIZATION TO BID FOR THE PURCHASE AND INSTALLATION OF ONE (1) BATHING TUB FOR THE WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

WHEREAS, one (1) Bathing Tub was authorized in the 2015 budget; and

WHEREAS, the Wayne County Nursing Home requests authorization to prepare a bid for the purchase of one

(1) Bathing Tub; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home Administrator is hereby authorized and directed to prepare specifications for bid of one (1) Bathing Tub with the approval of the County Attorney as to content and form; and be it further

RESOLVED, that the Clerk of the Board is hereby authorized to advertise for said bid and report the results to the Board for award.

Ms. Park moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 436-15: ACCEPTING BIDS FOR PURCHASE AND INSTALLATION OF CEILING LIFTS AND SCALES FOR THE WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

WHEREAS, pursuant to Resolution No. 339-15, the Board of Supervisors authorized the advertisement for the purchase and installation of (7) ceiling lifts and (7) ceiling scales for the Wayne County Nursing Home; and

WHEREAS, the Clerk of the Board of Supervisors duly advertised the bid for the ceiling lifts and the following bids were received and publicly opened on Wednesday, July 10, 2015 at 2:00 p.m.:

TOTALS

- 1. Arjo Huntleigh \$59,193.67
- 2. Health System Services \$39,920.00

now, therefore, be it

RESOLVED, that the bid submitted by Health System Services for the total bid price of \$39,920.00 for the purchase and installation of (7) ceiling lifts and (7) scales in accordance with the specifications is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the Wayne County Nursing Home, subject to the County Attorney's approval as to form and content with **Health System Services** in accordance with the bid specifications.

Ms. Park moved the adoption of the resolution. Seconded by Mrs. Marini.

Mr. Groat moved to amend the resolution by adding the names of the bidders, the bid amounts and awarding the bid to Health System Services in the RESOLVED clause. Motion carried.

Upon roll call, adopted.

RESOLUTION NO. 437-15: AUTHORIZING TO PURCHASE EQUIPMENT FOR THE WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

WHEREAS, one stand and lift is need of repair costing \$2,221.75; and

WHEREAS, the purchase of a stand and lift will cost \$1,250 and

WHEREAS, the usage of the stand and lift systems will be beneficial as it assures safety for residents and caregivers.

WHEREAS, the Wayne County Nursing Home recommends the purchase the following equipment:

| <u>Description</u> | <u>Qty</u> | <u>Unit Price</u> | <u>Total</u> |
|--------------------------|------------|-------------------|--------------|
| Stand and Lift Systems | | | |
| Quotes: | | | |
| *Medline | | | |
| BHS \$1480 | | | |
| Direct Supply \$2,649.99 | | | |
| | 1 | \$1,250 | \$1,250 |
| | | TOTAL | \$1,250 |

* Purchase Recommended

now, therefore, be it

RESOLVED, the Nursing Home Administrator is authorized to approve the purchase of stand and lift.

Mrs. Marini moved the adoption of the resolution. Seconded by Ms. Park. Upon roll call, adopted.

RESOLUTION NO. 438-15: AUTHORIZING TO CREATE AND FILL ONE (1) FULL TIME TEMPORARY ACTIVITY AIDE POSITION FOR THE WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

WHEREAS, the Wayne County Nursing Home must maintain adequate staffing levels in order to provide adequate care and activities; and

WHEREAS, one(1) activity aide employee of the nursing home is out on family leave from June 18, 2015 until further notice; and

WHEREAS, the Nursing Home will utilize budgeted but unspent funds from other vacant positions to offset the costs of the added full time temporary Activity Aide position; now, therefore be it

RESOLVED, that the Nursing Home requests authorization to create one (1) full time temporary Activity Aide position for up to one year or current employee on leave returns; and be it further

RESOLVED, that the Board of Supervisors authorizes the Wayne County Nursing Home to create and fill one (1) full time temporary Activity Aide position on an "as needed basis".

Mrs. Crane moved the adoption of the resolution. Seconded by Ms. Park. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 439-15: AUTHORIZATION TO DECLARE EQUIPMENT AS SURPLUS FOR WAYNE COUNTY PUBLIC HEALTH

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health wishes to declare the following computer equipment that is in fair working condition as surplus:

- HP Compaq dc7800 desktop PC, SN#2UA8050YNM
- HP L1950 19" LCD monitor, SN#CNK7390CML
- HP Compaq dc5800 microtower pc, SN # 2UA91212GO
- HP L1950q LCD monitor, SN# CNK9040M6D

now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to declare the above equipment as surplus and in fair working condition as per the Wayne County Surplus Equipment Disposition / Transfer Policy.

Ms. Park moved the adoption of the resolution. Seconded by Mr. Kolczynski. Upon roll call, adopted.

RESOLUTION NO. 440-15: AUTHORIZATION TO AMEND RESOLUTION NO. 380-14 TO ESTABLISH A NEW BUS ROUTE FOR TRANSPORTATION OF PRE-SCHOOL CHILDREN WITH PHYSICALLY HANDICAPPING CONDITIONS

Mr. Groat presented the following:

WHEREAS, pursuant to the requirements of Section 4410 of the Education Law and Title II-A of the Public Health Law, the County is required to contract for transportation services of pre-school children with physically handicapping conditions; and

WHEREAS, Wayne County Public Health (WCPH) has identified a need to establish a new roundtrip route to transport children with physically handicapping conditions from North Rose to Happiness House, Pre-emption Rd, Geneva, NY for the rate of \$244.84 per day without a monitor. Rate per day will be \$354.84 if a monitor is required, beginning July 6, 2015 to August 14, 2015; now, therefore, be it

RESOLVED, that Resolution No. 380-14 is hereby amended to establish a new roundtrip route for transportation of pre-school children with physically handicapping conditions from North Rose to the Happiness House, Pre-emption Rd., Geneva, NY, beginning July 6, 2015 to August 14, 2015 at the rate of \$244.84 per day without monitor or \$354.84 per day with a monitor, subject to the approval of the County Attorney as to form and content.

Mrs. Crane moved the adoption of the resolution. Seconded by Ms. Park. Upon roll call, adopted.

RESOLUTION NO. 441-15: AUTHORIZATION TO ESTABLISH A MEDICAL COUNTER MEASURE PUSH POD (POINT OF DISPENSING) MEMORANDUM OF UNDERSTANDING WITH DEMAY NURSING HOME

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) is required to be able to respond to a disease outbreak, biological toxin release, and a weather emergency event at all times; and

WHEREAS, WCPH has identified that establishing Push PODS (Point of Distribution) Clinics throughout the county to provide mass prophylaxis of clients, employees and employee family members of an organization to be an efficient way to dispense oral medications and/or vaccinations in a timely manner; and

WHEREAS, WCPH has identified that nursing homes are such organizations that a

Push POD could easily be implemented; and

WHEREAS, all oral medication and/or vaccinations will be provided "pushed" to the nursing home and just-in-time training would occur for each situation; and

WHEREAS, WCPH wishes to establish a Memorandum of Understanding with DeMay Nursing Home to establish a Push POD in disease outbreak, biological toxin release or severe weather event situations to prophylaxis their clients, employees and employee's family members; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to establish a Memorandum of Understanding between Wayne County Public Health and DeMay Nursing Home to establish a Push POD (Point of Dispensing) Clinic to dispense oral medications and/or vaccination to their clients, employees and employee's family members in a disease outbreak, biological toxin release or severe weather event situations, subject to the approval of the County Attorney as to the form and content.

Ms. Park moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 442-15: AUTHORIZATION TO HOLD ADVOCACY EDUCATIONAL WORKSHOPS TO EDUCATE FAMILIES WITH CHILDREN WITH SPECIAL HEALTH CARE NEEDS

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently holds a contract with the NYSDOH Children with Special Health Care Needs Program to provide referral and educational programs to families with children that have special health care needs; and

WHEREAS, WCPH wishes to provide up to 10 educational workshops performed by Starbridge, at an amount not to exceed \$3,000, beginning May 1, 2015 to September 30, 2015; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to obtain services from Starbridge to provide up to 10 educational workshops to families with children with special health care needs, at an amount not to exceed \$3,000, beginning May 1, 2015 to September 30, 2015.

Ms. Park moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 443-15: AUTHORIZATION FOR THE DEPARTMENT OF AGING AND YOUTH TO CREATE PER DIEM PART-TIME SERVICES AIDE POSITION

Mr. Manktelow presented the following:

WHEREAS, the Department of Aging and Youth directly administers three congregate meal site programs; and

WHEREAS, there is a need to retain a second part-time per diem congregate site manager to maintain adequate coverage in the event the permanent congregate site managers are unavailable to perform their duties; and

WHEREAS, the funds already exist in the 2015 County budget; now, therefore, be it

RESOLVED, that one part-time per diem Services Aide position is created at the rate of \$9.70 per hour plus mileage to provide necessary coverage for the congregate meal sites.

Ms. Park moved the adoption of the resolution. Seconded by Mr. Kolczynski. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 444-15: AUTHORIZATION TO AMEND THE AREA AGENCY ON AGING 2015 BUDGET

Mr. Manktelow presented the following:

WHEREAS, NY State Office for Aging NYSOFA has instructed local Area Agencies on Aging that the 2015-2016 enacted NY State budget includes allocations to fund up to 2% salary increases under the Direct Care Worker Program; and

WHEREAS, by statute, in order to access the funding, local offices for Aging and their

contractors must complete the "Certification Pursuant to Part 1 of Chapter 60 of the Laws of 2014". The certification requires that the Board of Supervisors, approve a resolution attesting that the funding received will be used solely to support salary and salary related fringe benefits increases for direct care staff, direct support professionals as specified in the directive; and

WHEREAS, the costs associated with the COLA have been incorporated into the Wayne County budget; and

WHEREAS, the certification period for the cost of living increases is from January 1, 2015 through December 31, 2015 and is not to exceed \$5,717.00; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors approve a resolution and the Chair of the Board to sign the certification attesting that the funding received in the amount of \$5,717.00 will be used solely to support salary and salary related fringe benefits increases for direct care staff, direct support professionals; further be it

RESOLVED, that Wayne County Treasurer is authorized to make the following 2015 Budget Amendment:

A6772- Area Agency on Aging

(Revenues)

\$5,717.00 to .43772 State Aid-Program for Aging

A1990 Contingent Fund General

(Appropriations)

\$5,717.00 to .54000 Contractual Expenses

Ms. Park moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, adopted.

RESOLUTION NO. 445-15: AUTHORIZE CHANGES TO FOSTER CARE PAYMENT RATES

Mr. Manktelow presented the following:

WHEREAS, Wayne County is required to have care available for youth needing to be placed outside their homes; and

WHEREAS, rates for this least expensive mode of care need to be adjusted at this time due to the fact that the NYS Office of Children and Family Services has promulgated directives to increase rates for foster care payment (per 15-OCFS-ADM-07, dated May 1, 2015); and

WHEREAS, Wayne DSS continues to need to have sufficient well-trained family foster care providers to provide safe, secure care to children placed in the custody of the Commissioner of Social Services; and

WHEREAS, the new foster care rates will update rates last adjusted in January, 2015; now, therefore, be it

RESOLVED, that the Foster Care rates will be adjusted per the following table, effective 4/1/15:

| Daily Rate | Age 0-5 | 6-11 | 12-15 | 16+ |
|----------------------|----------------|-------------|--------------|------------|
| Basic | 16.13 | 17.51 | 20.34 | 20.34 |
| Enhanced | 18.25 | 20.25 | 22.92 | 22.92 |
| Special | 33.78 | 33.78 | 33.78 | 33.78 |
| Exceptional | 50.16 | 50.16 | 50.16 | 50.16 |
| Special II (Age 10+) | - | 44.41 | 44.41 | 44.41 |
| Clothing | 1.02/day | 1.43/day | 2.21/day | 2.71/day |
| Diaper (Age 0-3) | 1.89/day | | | |

Ms. Park moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, adopted.

OTHER BUSINESS

Ms. Park moved, seconded by Mrs. Crane that one (1) resolution be allowed on the floor under Other Business. Motion Carried.

RESOLUTION NO. 446-15: AUTHORIZE WAYNE COUNTY TREASURER TO ISSUE

REQUEST FOR QUOTATION FOR REAL PROPERTY TITLE WORK

Ms. Park presented the following:

WHEREAS, Wayne County is required to do title searches for all Property Tax Foreclosure Proceedings; and

WHEREAS, it is appropriate to periodically seek quotes from qualified professionals to perform said services; and

WHEREAS, in order to maintain continuity from year to year, a multi-year quote is desired; and

WHEREAS, a Request for Quotation (RFQ) for title search services is necessary for 2015, 2016, and 2017, for Property Tax Foreclosure Proceedings that will occur in the 2016, 2017, and 2018 calendar years respectively; and

WHEREAS, work will need to commence in December, 2015 for foreclosure proceedings in 2016; now, therefore, be it

RESOLVED that the Wayne County Treasurer is authorized to issue a written RFQ for Real Property Title Work for 2015, 2016, and 2017 Tax Years; and be it further

RESOLVED that the County Treasurer is authorized to receive, open, and review said quotes and make a recommendation to the Wayne County Board of Supervisors for an award of a contract for 2015, 2016, and 2017.

Mr. Kolczynski moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, adopted.

EXECUTIVE SESSION: Mrs. Crane moved, seconded by Mr. Kolczynski that the Board go into Executive Session at 9:40 a.m. to discuss Collective Bargaining. Upon roll call, carried. Mr. Dye and County Attorney Connors was requested to join this closed session.

REGULAR SESSION: Mrs. Crane moved, seconded by Mr. Colacino that the Board resume regular session at 9:50 a.m. Carried.

Mrs. Crane requested for the transmittal that was held earlier within this session, to be put on the floor at this time.

RESOLUTION NO. 447-15: AUTHORIZATION TO RATIFY THE 2015 – 2019 COLLECTIVE BARGAINING AGREEMENT WITH THE WAYNE COUNTY SHERIFF'S EMPLOYEE ASSOCIATION (WCSEA)

Mrs. Crane presented the following:

WHEREAS, Wayne County ("the County") and the Wayne County Sheriff's Employees Association ("the Association") have negotiated a collective bargaining agreement ("the Agreement") establishing terms and conditions of employment for the five (5) year period commencing January 1, 2015 and ending December 31, 2019; and

WHEREAS, the Association's Contract Negotiation Committee has reviewed the provisions of said Collective Bargaining Agreement and the Association membership voted on July 8, 2015 to ratify the tentative agreement; and

WHEREAS, the County's Negotiation Committee has reviewed the material changes in the tentative Agreement with the Board of Supervisors; now, therefore, be it

RESOLVED, that the Agreement is hereby approved and ratified by the Board of Supervisors and the Chairman of the Board is hereby authorized and directed to execute the Agreement on behalf of the County.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

ANNOUNCEMENT

Chairman Hoffman announced that there will be a County Compliance Training Session for Town Supervisors immediately after this Board of Supervisors meeting; and will held be in the first floor Committee Room.

ADJOURNMENT

The next scheduled meeting of the Board of Supervisors is Monday, August 10, 2015 at 11:00 a.m. at the Wayne County Fairgrounds, W. Jackson Street in Palmyra, New York.

Ms. Park moved, seconded by Mrs. Crane, that the board adjourn at 9:52 a.m. Carried.

Sandra J. Sloane, Clerk, Wayne County Board of Supervisors
