

14th Day  
Tuesday, October 18, 2016  
9:00 a.m.

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

The Pledge of Allegiance was led by Supervisor Baldrige, followed by Chairman LeRoy giving the invocation.

Upon roll call, all Supervisors were present except for Supervisors Spickerman and Verno who were absent.

County Administrator Richard House and County Attorney Daniel Connors were also present for this morning session of the Board.

**APPROVAL OF MINUTES:**

Mr. Smith moved, seconded by Mrs. Crane, 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 below:

A copy of an Application for Real Property Tax Exemption on Form RP-412-a with attached PILOT agreement, dated September 23, 2016, was received for the 401 West Shore Holdings, LLC / Newchem, Inc., from Harris Beach Attorneys and the Wayne County Industrial Development Agency.

Copy of a corrected Application for Real Property Tax Exemption on Form RP-412-a with attached PILOT agreement, dated October 3, 2016, was received for the OB12, LLC. from Harris Beach Attorneys and the Wayne County Industrial Development Agency.

A copy of the Petition and Notice of Foreclosure for 2015 Delinquent Town and County taxes was received and filed from the Wayne County Treasurer's Office.

Copies of the official resolutions adopted by the County Delegates at New York State Association of Counties 2016 Annual Meeting in Niagara County were received.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments including the September warrants for accounts payable, totaling \$3,508,818.33 were received and filed.

Mr. Verno moved, seconded by Mr. Kolczynski. Motion carried.

**PRIVILEGE OF THE FLOOR:**

Chairman LeRoy 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 were no comment requests for this morning.

**PROCLAMATIONS**

A proclamation for Domestic Violence Awareness Month - October 2016 was read by Alesha and Jake, students from Wayne Central High School and advocates of Project REACH (Reasons Everyone Around Can Help). This program was started by Alesha two years ago and promotes awareness to combat domestic violence and sexual assault.

Supervisor John Smith, Chairman of the Public Safety Committee, read the Proclamation of Appreciation for soon-to- retire, Dale Mead, Director – Probation/Correctional Alternatives for his 38 years of dedicated service to Wayne County.

Supervisor Laurie Crane, Chairman of the Government Operations Committee read a Proclamation of Appreciation for soon-to- retire Michael F. Nozzolio, our New York State Senator.

**SCHEDULED BUSINESS:**

Prior to the reading of the scheduled public hearing for the proposed 2017-2021 Capital Plan, Chairman LeRoy read the rules and procedures that are followed for conducting hearings for this Board.

The Clerk read the following Notice of Public Hearing scheduled for this morning:

**COUNTY OF WAYNE  
NOTICE OF PUBLIC HEARING**

**2017-2021 CAPITAL PLAN FOR WAYNE COUNTY**

NOTICE IS HEREBY GIVEN THAT the Wayne County Board of Supervisors will conduct a Public Hearing at **9:10 a.m. on Tuesday, October 18, 2016**, at the Historic Wayne County Court House, 26 Church Street, Lyons, New York 14489 in the Supervisors' Chambers on the second floor, to consider public comments concerning revisions to the capital plan for Wayne County.

The proposed Capital Plan is a planning instrument and not an appropriations or funding commitment.

Copies of the proposed Capital Plan are on file with the Clerk of the Board and may be inspected at the County Court House during normal business hours; and also by referring to the Wayne County website at: <http://web.co.wayne.ny.us/online-services/>

All interested parties are invited to attend the public hearing or to provide written comments to the Clerk of the Board, which written comments will be considered at the hearing.

The Historic Courthouse is in compliance with accessibility standards under the Americans with Disabilities Act. Hearing disabled persons who wish to attend should call Sandy or Debbie at 315-946-5400 at least 48 hours prior to the hearings to make arrangements for an interpreter.

At 9:16 a.m., Chairman LeRoy opened the floor for the public, stating that people interested in making comment for the proposed Capital Plan should come forward to the podium to address the Board. Further, he requested that they state their name and address for the record.

There was no public comment at this time.

After an additional request for comment was made, Chairman LeRoy asked for a motion to close the hearing.

Mrs. Marini moved, seconded by Mrs. Crane, that the hearing be closed at 9:16 a.m. Upon roll call, carried.

Mr. Ken Blake took this opportunity to address the Board to explain the 2017-2021 Capital Plan. A copy of the Plan was previously provided to Supervisors showing the total project costs of \$30 million, with a County cost of \$10 million over a five-year period. It was noted this plan was reviewed and amended during a joint Committee meeting of the Finance, Economic Development/Planning, Public Works and Public Safety Committees.

Mr. Blake further emphasized that the 2017-2021 Capital Plan is a planning instrument and not an appropriations or funding commitment.

Chairman LeRoy then requested Mr. Blake to give a brief update of the 2017 Wayne County Budget.

**RESOLUTION NO. 538-16: AUTHORIZATION TO AMEND 2016 AGING AND YOUTH BUDGET FOR THE SODUS HOME MEAL SERVICES CONTRACT**

Mr. Manktelow presented the following:

WHEREAS, the Department of Aging and Youth contracts with the Home Meal Services (HMS) Program, Inc. to administer the Sodus Senior Nutrition Center, as well as delivering home delivered meals; and

WHEREAS, the total cost to run the Sodus program has increased due to an increase in rental and meal costs; and

WHEREAS, the HMS Sodus contract already reflects the increased amount of \$12,000, but an adjustment to the 2016 county budget is required to reflect the contract increase; and

WHEREAS, the HMS home delivered meal program costs decreased due to additional contributions; now, therefore, be it

RESOLVED, that the HMS Sodus Senior Center budget is increased \$4,000 per year; and be it further

RESOLVED, that the HMS home delivered meals budget is reduced by \$4,000; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following budget adjustments

A6772-Aging Budget

(Appropriations)

\$4,000 from 54466 Home Delivered Meals

\$4,000 to 54668 Sodus Site

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

**RESOLUTION NO. 539-16: AUTHORIZATION TO ABOLISH AND CREATE POSITIONS FOR THE DEPARTMENT OF SOCIAL SERVICES**

Mr. Manktelow presented the following:

WHEREAS, the present person in the position of SENIOR TYPIST in the Department of Social Services Accounting area is moving to the position of AUDIT CLERK; and

WHEREAS, the duties of the Senior Typist position now more closely match those of the position of AUDIT CLERK; and

WHEREAS, this position change is from one at Grade 12 to one at Grade 10; and

WHEREAS, the grade 10 position carries a smaller salary and would not necessitate an upward budget change; now, therefore, be it

RESOLVED, that the position of SENIOR TYPIST is now abolished, and a position of Audit Clerk be created and filled.

Mrs. Marini moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Spickerman and Verno. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 540-16: AUTHORIZE CONTRACT WITH VICTIM RESOURCE CENTER OF THE FINGER LAKES, INC. FOR DOMESTIC VIOLENCE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES**

Mr. Manktelow presented the following:

WHEREAS, Services for victims of Domestic Violence and their families/children are an important component of reducing child abuse; and

WHEREAS, Victim Resource Center has worked in collaboration with Wayne DSS and Wayne CAP to provide services which ameliorate the effects of family violence; and

WHEREAS, this partnership has been effective with the families served; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute a contract on behalf of the County of Wayne and the Wayne County Department of Social Services, subject to the County Attorney's review as to form and content, with the Victim Resource Center of the Finger Lakes, Inc. for Domestic Violence Services at a cost not to exceed \$42,500 for the time frame 7/1/15-6/30/17.

Mrs. Crane moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll

call, adopted.

**RESOLUTION NO. 541-16: AUTHORIZATION TO EXECUTE CONTRACT WITH GENESEE REGION HOME CARE – ONTARIO COUNTY D/B/A HOME CARE PLUS FOR PERSONAL CARE SERVICES PROGRAM**

Mr. Manktelow presented the following:

WHEREAS, the Personal Care Services Program (PCSP) is a mandated Medicaid Program; and

WHEREAS, the New York State Department of Health (DOH) has revised and updated its model contract; and

WHEREAS, the new PCSP model reflects changes to the Personal Care Services Program between 1979 and 2005, new Federal HIPAA compliance requirements, as well as changes resulting from the transfer of this program from NYS DSS to NYS DOH in 1999, and this model contract is written pursuant to Title 11 of Article 5 of the New York Social Service Laws and Title XIX of the United States Social Security Act; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract, subject to review by the County Attorney, with Genesee Region Home Care – Ontario County D/B/A Home Care Plus for the provision of the Personal Care Services Program for the timeframe October 1, 2016 and ending September 30, 2017.

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

**RESOLUTION NO. 542-16: AUTHORIZATION TO ACCEPT COST OF LIVING ADJUSTMENT FROM THE NYSDOH ZOONOSSES-RABIES PROGRAM FOR WAYNE COUNTY PUBLIC HEALTH**

Mr. Baldrige presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently contracts with the New York State Department of Health (NYSDOH) Zoonoses-Rabies Program to provide Rabies control activities and WCPH has received notice of a Cost of Living Adjustment (COLA) award of \$1,270; and

WHEREAS, WCPH has identified allowable expenditures to claim 100% of these COLA funds; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to certify and accept \$1,270 of COLA funds from the NYSDOH Zoonoses-Rabies Program for the Rabies control program grant.

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

**RESOLUTION NO. 543-16: AUTHORIZATION TO ACCEPT COLA FUNDS FROM THE LEAD POISONING PREVENTION PROGRAM FOR WAYNE COUNTY PUBLIC HEALTH**

Mr. Baldrige presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently contracts with the New York State Department of Health (NYSDOH) Bureau of Environmental Health to provide Lead Poisoning Prevention services and WCPH has received notice of a Cost of Living Adjustment (COLA) award of \$3089; and

WHEREAS, WCPH has identified allowable expenditures to claim 100% of these COLA funds; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to certify and accept \$3,089 of COLA funds from the NYSDOH Bureau of Environmental Health for the Lead Poisoning Prevention Program grant.

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

**RESOLUTION NO. 544-16: AUTHORIZATION TO ACCEPT COST OF LIVING**

**ADJUSTMENT FOR THE IMMUNIZATION ACTION PLAN FOR WAYNE COUNTY PUBLIC HEALTH**

Mr. Baldrige presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently holds the Immunization Action Plan grant with the New York State Department of Health (NYSDOH) and has received notice of a Cost of Living Adjustment (COLA) award of \$3,863; and

WHEREAS, WCPH has identified allowable expenditures to claim 100% of these COLA funds; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to certify and accept the \$3,863 of COLA funds from the NYSDOH for the Immunization Action Plan.

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

**RESOLUTION NO. 545-16: AUTHORIZATION TO SUBMIT APPLICATION TO THE ROBERT WOOD JOHNSON FOUNDATION FOR THE CULTURE OF HEALTH FOR WAYNE COUNTY PUBLIC HEALTH**

Mr. Baldrige presented the following:

WHEREAS, Wayne County Public Health (WCPH) has met with other health and human service agencies, schools and community leaders and have identified many projects within several communities in Wayne County that reflect positive changes to achieve better health outcomes for our residents; and

WHEREAS, WCPH would like to submit an application to the Robert Wood Johnson Foundation's Culture of Health Prize by November 3, 2016, for a prize amount of \$25,000; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to submit an application to the Robert Wood Johnson Foundation's Culture of Health Prize by November 3, 2016 for a prize amount of \$25,000.

Mrs. Pagano moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

**RESOLUTION NO. 546-16: AUTHORIZATION FOR WAYNE BEHAVIORAL HEALTH NETWORK TO ESTABLISH A CONTRACT AGREEMENT WITH TELEVOX FOR PATIENT ENGAGEMENT COMMUNICATIONS**

Mr. Baldrige presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) currently utilizes several staff people on a daily basis to manage patient engagement and communication activities with respect to notifying and confirming with clients their scheduled appointments with professional clinical staff; and

WHEREAS, WBHN currently makes approximately 1000 client engagement calls per week utilizing several people throughout each work day to accomplish this, which is estimated to equate to one full time employee equivalent and a cost of approximately \$55,000 annually; and

WHEREAS, Televox technology has been shown to improve health outcomes by enabling providers to deliver crucial between-visit communications that support patients in becoming and staying healthy by delivering our messages in a personalized way to each patient to provide information, support, and encouragement for following their prescribed treatment plan; and

WHEREAS, Televox technology delivers secure services and maintains protected health information and privacy of data and undergo annual audits for HIPPA and SSA-16 and maintains certifications for ISO-27002 and PCI frameworks and Televox partners with Cerner-Anasazi who provides our electronic scheduling and electronic medical record (EMR) and prescribing software to the mental health department and can provide this software service upgrade to the existing EMR program; and

WHEREAS, the cost for patient engagement and communication enhanced software

service ability includes a one-time set-up fee of \$2,500 and a per call fee of \$0.17 per transaction for 1-3000 and \$0.16 for 3001+ transactions, for a total of approximately less than \$10,000 annually; now, therefore, be it

RESOLVED, that the Chairman of the Board is authorized, pending County Attorney approval as to form and content, to sign a contract and sales order with Televox to provide patient engagement communication services to Wayne Behavioral Health Network from October 1, 2016 to December 31, 2016 and January 2017 through December 2017 pending approval of the 2017 Budget.

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

**RESOLUTION NO. 547-16: AUTHORIZATION TO RENEW PROGRAM AGREEMENT CONTRACT BETWEEN THE WAYNE COUNTY DEPARTMENT OF MENTAL HEALTH AND THE UNIVERSITY OF ROCHESTER**

Mr. Baldrige presented the following:

WHEREAS, the Wayne County Mental Health Department and the University of Rochester mutually desire to renew the contractual agreement which sets forth terms and conditions for the University's psychiatric fellows to participate in a collaborative educational forensic training program at the Mental Health Department's Clinics; and

WHEREAS, the psychiatric fellows, who are licensed physician-psychiatrists, will provide psychiatric services and treatment to the Wayne County Mental Health Clinic in addressing forensic related clinical needs to children, adolescents and adults who also are in need of psychiatric evaluation and treatment and who are also involved with any of the following: Family Court, Probation, PINS, CPS/DSS, criminal court proceedings such as court ordered competency evaluations, psychiatric evaluations, law enforcement evaluations, sexual offender treatment, forensic psychiatric treatment for those incarcerated in the Wayne County Jail, and many other forensic and psychiatric related activities that the mental health department provides and is statutorily required to perform; and

WHEREAS, within the terms of this agreement, the University will also provide substantial clinical supervision to the fellows and also provide specialized clinical consultation and training to the mental health department; and

WHEREAS, the agreement includes that the Mental Health Department will compensate the University for a portion of the costs associated with receiving the psychiatric services, and the physician psychiatrists will engage in a variety of medically necessary treatment activities which are reimbursable services and will allow the department to generate revenue and cost savings to offset the costs associated with this service; now therefore be it

RESOLVED, that the Mental Health Department and the Chairman of the Board of Supervisors, pending approval of the County Attorney as to form and content, are authorized to renew the contractual agreement with the University of Rochester for the program collaborative for forensic fellow training at a cost to the mental health department not to exceed \$63,900 for the contract period January 1, 2016 through December 31, 2016.

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

**RESOLUTION NO. 548-16: AUTHORIZATION TO CONTRACT WITH COPERNICUS TO CONDUCT IN-PERSON HANDS ON TRAINING FOR THE NURSING HOME STAFF**

Mr. Baldrige presented the following:

WHEREAS, the nursing homes received Federal and State funds from New York State Department of Health to conduct training for frontline employees; and

WHEREAS, it is essential for the Wayne County Nursing Home to make sure all nursing home staff are trained and well versed in handling residents in various situations that arise in daily procedures; and

WHEREAS, the Wayne County Nursing Home identified a learning opportunity and an area of improvement in building a more resident focused approach through situational hands

on training; this will expand employees knowledge and skillset and give them the necessary tools needed in providing a higher quality of care; and

WHEREAS, the Wayne County Nursing Home has received a quote for the resident focused training services from Copernicus; and

**Copernicus consultant fee of \$100.00 per hour plus mileage expense at current IRS rate. Terms of the contract to include a cap on the amount of training to be provided to not to exceed \$4,000.00.**

WHEREAS, Copernicus has the quote best meeting the needs of the nursing home; now, therefore, be it

RESOLVED, that the Chairman of Board of Supervisors is hereby authorized to execute a contract with Copernicus, on behalf of the Wayne County Nursing Home, at a fee of \$100.00 per hour plus mileage expense at current IRS rate and a cap of \$4,000.00, effective date of the contract for the provision of employee training. Contract is 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. 549-16: AUTHORIZATION TO ADDRESS SALARY AND WAGE ISSUES RELATING TO CHANGES IN THE FAIR LABOR STANDARDS ACT - COUNTY HISTORIAN**

Mrs. Crane presented the following:

WHEREAS, the public employees have been covered by the provisions of the Fair Labor Standards Act (FLSA) since 1974; and

WHEREAS, the FLSA includes specific duties tests and a salary basis test that must be met for employees to be considered "exempt" from the payment of overtime at the rate of time and a half for hours worked beyond forty in a week; and

WHEREAS, M/C pay grades 1 through 4 were established as hourly rates (Resolution No. 383-14) and the employees in these grades paid as "non-exempt", and therefore eligible for the payment of overtime under the FLSA; and

WHEREAS, Resolution No. 560-14 placed the County Historian (M/C pay grade 4) in a salary, rather than an hourly rate; and

WHEREAS, the FLSA annual salary basis test amount will be increased from the current amount of \$23,660 to \$47,476 effective December 1, 2016; and

WHEREAS, the salary of the Historian falls below this new minimum salary basis amount; and

WHEREAS, to comply with the FLSA, this employee must be treated as non-exempt until such time as his non-discretionary salary compensation (base pay plus longevity) rises above the salary basis amount; now, therefore be it

RESOLVED, that Resolution No. 560-14 is hereby rescinded, and the County Historian returned to an hourly rate of pay; and be it further

RESOLVED, that this change will not result in an increase or decrease in the Historian's base rate of compensation.

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

**RESOLUTION NO. 550-16: AUTHORIZATION TO ADDRESS SALARY AND WAGE ISSUES RELATING TO CHANGES IN THE FAIR LABOR STANDARDS ACT - MANAGERIAL/CONFIDENTIAL (M/C) EMPLOYEE GROUP**

Mrs. Crane presented the following:

WHEREAS, the public employees have been covered by the provisions of the Fair Labor Standards Act (FLSA) since 1974; and

WHEREAS, the FLSA includes specific duties tests and a salary basis test that must be met for employees to be considered "exempt" from the payment of overtime at the rate of time and a half for hours worked beyond forty in a week; and

WHEREAS, employees in the Managerial/Confidential (M/C) employee group pay grades

5 through 13 have been reviewed against the duties tests to determine that employees in these grades are correctly treated as exempt from the payment of overtime; and

WHEREAS, M/C pay grades 1 through 4 were established as hourly rates (resolution 383-14) and the employees in these grades paid as "non-exempt", and therefore eligible for the payment of overtime under the FLSA; and

WHEREAS, the FLSA annual salary basis test amount will be increased from the current amount of \$23,660 to \$47,476 effective December 1, 2016; and

WHEREAS, the FLSA annual salary basis amount will be adjusted periodically in the future in response to cost of living increases; and

WHEREAS, the salaries of some M/C employees in pay grades 4, 5, and 6 fall below this new minimum salary basis amount; and

WHEREAS, to comply with the FLSA, these employees must be treated as hourly employees until such time as their non-discretionary compensation (base pay plus longevity) rises above the salary basis amount; and

WHEREAS, it is cumbersome to petition the Board of Supervisors to make these individual adjustments whenever an individual's compensation rises above the salary basis amount; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the Director of Human Resources to change non-bargaining unit employees whose non-discretionary compensation falls below the salary basis amount from salaried to hourly and to return these employees to salaried once their compensation rises above the established salary basis amount; and be it further

RESOLVED, that a change from salaried to hourly and back under this resolution will not increase or decrease the base rate of compensation authorized for any affected employee.

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

**RESOLUTION NO. 551-16: AUTHORIZATION TO RENEW CONTRACT WITH NCA COMP INC. TO ADMINISTER WORKERS' COMPENSATION AND DISABILITY CLAIMS**

Mrs. Crane presented the following:

WHEREAS, the County utilizes the services of a Third-Party Administrator (TPA) for administration of the Wayne County Self-Insured Plan for Workers' Compensation and of Wayne County Self-Insured Disability Claims; and

WHEREAS, NCA Comp Inc. has demonstrated the ability to provide satisfactory third-party claims administration services; and

WHEREAS, NCA Comp Inc. has presented the County with the following fee schedule for the dates January 1, 2017 – December 31, 2017:

Workers' Compensation: \$105,000, plus applicable allocated expenses  
Disability: \$ 10,000

with two annual options to renew the contract with the following fee schedules:

Workers' Compensation 1/1/18-12/31/18:  
\$107,100, plus applicable allocated expenses  
Disability 1/1/18-12/31/18: \$ 10,300

Workers' Compensation 1/1/19-12/31/19:  
\$109,242, plus applicable allocated expenses  
Disability 1/1/19-12/31/19: \$ 10,609

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 NCA Comp Inc., 14 Lafayette Square, Suite 700, Buffalo, NY 14203 to administer the Wayne County Self-Insured Workers' Compensation Plan and Self-Insured Disability Plan for a period commencing January 1, 2017, through December 31, 2017 for the contract amounts specified above.

Mr. Chatfield moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll

call, adopted.

**RESOLUTION NO. 552-16: AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS FOR DOCUMENT BACK SCANNING SERVICES**

Mrs. Crane presented the following:

WHEREAS, the Office of the Wayne County Clerk is attempting to expand the scope of vital county records available in a digital format; and

WHEREAS, there is a large volume of deeds and mortgages that need to be digitized; now, therefore, be it

RESOLVED, that the Wayne County Clerk is hereby authorized to issue a Request for Proposal for Document Back Scanning Services; and be it further

RESOLVED, that following the opening, the Wayne County Clerk shall review proposals and present a record of the proposals and subsequent recommendation to the Wayne County Government Operations Committee and the Board of Supervisors for final approval.

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

**RESOLUTION NO. 553-16: AUTHORIZATION TO CONDUCT ANALYSIS OF MANAGERIAL AND CONFIDENTIAL EMPLOYEE GROUP FOR 2017**

Mrs. Crane presented the following:

WHEREAS, the County implemented a wage and salary plan (M/C Plan) for the Managerial and Confidential Employees Group effective June 14, 2014; and

WHEREAS, the M/C Plan established wage and salary grades with minimum, midpoint, and maximum rates and assigned positions to those grades; and

WHEREAS, issues of pay equity within the established pay ranges were reviewed in 2015 for employees with long-term service; and

WHEREAS, questions of equity continue to be raised by employees within the M/C employee Group; and

WHEREAS, only additional analysis of the M/C Employee Group will provide the data necessary to determine whether pay inequities continue to exist within the M/C Employee Group; now, therefore, be it

RESOLVED, that the Director of Human Resources is hereby directed and authorized to analyze the M/C Employee Group base compensation effective January 1, 2017 and make recommendations to the Board of Supervisors to be considered for implementation after January 1, 2017.

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

**RESOLUTION NO. 554-16: AUTHORIZATION TO PURCHASE REPLACEMENT PROJECTOR FOR COMMITTEE ROOM AND AMEND BUDGET**

Mrs. Crane presented the following:

WHEREAS, the project that is located in the Board of Supervisors Committee Room is no longer functioning properly; and

WHEREAS, the IT Department has attempted to repair the projector and advised that the projector is not repairable; and

WHEREAS, a replacement projector is necessary; and

WHEREAS, the IT Department has estimated the replacement cost to be \$650.00; now therefore, be it

RESOLVED, that the Management Assistant along with the IT Department is authorized to purchase a new projector for the Committee Room; and be it further

RESOLVED, that the County Treasurer is authorized to amend the 2016 County Budget as follows:

**A1230 County Administration**

\$650.00 to .52201 Computer Equipment

**A1990 Contingency Fund**

\$650.00 from .54000 Contractual Expenses

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

**RESOLUTION NO. 555-16: AUTHORIZE THE CREATION OF A PART-TIME COUNTY HISTORIAN POSITION AND ABOLISH THE FULL-TIME HISTORIAN POSITION**

Mrs. Crane presented the following:

WHEREAS, the Wayne County Historian position has been established as a full-time position; and

WHEREAS, it has been determined that the Full-time position of County Historian should transition to part-time status; now, therefore, be it

RESOLVED, that the full-time position of County Historian is abolished and one (1) part-time County Historian position is created, effective January 1, 2017.

Mr. Chatfield moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Spickerman and Verno. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 556-16: AUTHORIZE SOCIAL MEDIA FOR ECONOMIC DEVELOPMENT AND PLANNING DEPARTMENT**

Mrs. Deyo presented the following:

WHEREAS, the Wayne County Board of Supervisors recently adopted the Opportunity Analysis and Marketing Strategy for Wayne County which includes the use of social media as part of the marketing strategy for the County going forward; and

WHEREAS, the County authorized and the Economic Development and Planning Department filled the recently created position of Business Outreach Coordinator, part of whose responsibilities are to actively use social media to keep in contact with both businesses and the public in order to promote the County in general along with the County as a great place to locate and grow a business; and

WHEREAS, as part of the County policy on the use of social media, the department's plan for use must be reviewed by the County Administrator and the Director of IT, be presented to the appropriate standing committee and receive board approval; now, therefore, be it

RESOLVED, that the internal oversight of social media and use of such tools, both existing and future, proposed by the Wayne County Economic Development and Planning Department, is hereby approved and authorized.

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

**RESOLUTION NO. 557-16: AUTHORIZATION TO DISPOSE OF SURPLUS METAL PIPE MATERIALS**

Mr. Miller presented the following:

WHEREAS, smooth interior plastic drainage pipe is now the preferred product for drainage and galvanized metal drainage pipe is no longer being installed; and

WHEREAS, the Highway department has many pieces of galvanized metal drainage pipe in various sizes (listed below) that are no longer needed:

42" CMP	26LF
36" CMP	100LF
30" CMP	60LF
24" CMP	620LF
20" CMP	160LF
18" CMP	750LF
16" CMP	120LF
10" CMP	180LF
6" CMP	700LF

16"x20" CMP	90LF
30" end pans	2EA
18" end pans	55EA
15" end pans	29EA
12" end pans	32 EA

now, therefore, be it

RESOLVED, that the items listed above be disposed of in accordance with the County policy or at an upcoming public auction or at a Municipal online auction.

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

**RESOLUTION NO. 558-16: AUTHORIZATION TO TRANSFER FUNDS AND CLOSE COMPLETED 2016 CONSTRUCTION PROJECTS FOR THE PUBLIC WORKS DEPARTMENT**

Mr. Miller presented the following:

WHEREAS, various Highway Construction and Bridge Projects have been completed in 2016 and final payments processed; and

WHEREAS, the balance in budgeted projects may be reallocated to other projects; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer funds as listed below:

**D5112-ROAD CONSTRUCTION:**

- \$6,905.23 from .52616 Tellier Road Project
- \$19,673.96 from .52617 Plank Road Project
- \$28,277.24 from .52619 Lummisville Road Project
- \$18,207.70 from .52652 Lake Road Project
- \$25,046.09 from .52668 Macedon Center Road Project
- \$9,998.63 from .52693 Canandaigua Road Project
- \$25,447.52 from .52698 Lakeside Road Project
- \$22,143.21 to .52614 Surface Treatment Project
- \$111,413.16 to .52691 Culvert Replacement Project;

and be it further  
RESOLVED that the following highway construction projects within Account D51122 Road Construction having a zero balances, are hereby closed:

**D5112-ROAD CONSTRUCTION:**

- .52614 Surface Treatment Project
- .52616 Tellier Road Project
- .52617 Plank Road Project
- .52619 Lummisville Road Project
- .52652 Lake Road Project
- .52668 Macedon Center Road Project
- .52693 Canandaigua Rd. Project
- .52698 Lakeside Road Project

Mr. Verkey moved the adoption of the resolution. Seconded by Mrs. Pagano. Upon roll call, adopted.

**RESOLUTION NO. 559-16: AUTHORIZATION TO DISPOSE OF SURPLUS COUNTY VEHICLES**

Mr. Miller presented the following:

WHEREAS, the Central Garage has several surplus vehicles that are no longer serviceable and should be disposed of, and

WHEREAS, the Superintendent of Public Works and the Central Garage staff have determined that the following list vehicles should be declared surplus and disposed of as noted:

VEHICLE	DISPOSAL
2007 Ford Crown Victoria - VIN 2FAFP71W27X100569	Auction
2007 Ford Crown Victoria - VIN 2FAFP71W17X154381	Auction
2009 Ford Crown Victoria – VIN 2FAHP71VX9X139896	Auction/other
Municipality	
2011 Ford Crown Victoria – VIN 2FABP7BV6BX110499	Auction/other
Municipality	
2011 Ford Crown Victoria – VIN 2FABP7BV3BX167405	Auction/other
Municipality	
2011 Ford Crown Victoria – VIN 2FABP7BV8BX167397	Auction/other
Municipality	
2011 Ford Crown Victoria – VIN 2FABP7BV6BX167401	Auction
1999 Honda Accord – VIN 1HGCG5645WA196621	Auction

now, therefore, be it

RESOLVED, that the vehicles listed above be sold at an upcoming public auction, Municipal online auction or sold to another Municipality in accordance with the County's Equipment Disposition policy.

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

**RESOLUTION NO. 560-16: AUTHORIZATION TO ENTER INTO AGREEMENT WITH THE WAYNE COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR OFFICE AND SHOP LEASE**

Mr. Miller presented the following:

WHEREAS, the Buildings and Grounds department will soon be moving their operations to the new addition at the Highway facility and will vacate the office and shop space at 7312 Route 31; and

WHEREAS, the Wayne County Soil and Water Conservation District has expressed interest in leasing the vacated space for its operations; and

WHEREAS, the Superintendent of Public Works has calculated the annual lease costs to be as follows:

- B&G space rent cost:  
2,000sqft @ \$4.25 = \$8,500  
3,760sqft @ \$2.00 = \$7,520  
Total \$16,020.00
- Annual Utilities: Electric @ 75% = roughly \$5,000/yr x 75% = \$3,750 annually  
Gas @ 50% = roughly \$ 1,400/yr x 50% = \$700.00  
Water & Sewer @ 100% = \$ 350.00  
Total Annually = \$4800 (estimated)

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a five year lease agreement, subject to the County Attorney's approval as to form and content, with the Wayne County Soil and Water Conservation District for \$16,020 plus actual utility costs; and be it further

RESOLVED, that this lease is to commence on January 1, 2017.

Mrs. Marini moved the adoption of the resolution. Seconded by Mr. Kolczynski. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Spickerman and Verno. Supervisors Crane and Deyo both Abstained from voting. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 561-16: ADOPTION OF 2017-2021 CAPITAL PLAN FOR WAYNE COUNTY**

Mr. Miller presented the following:

WHEREAS, the County Administrator submitted the proposed 2017-2021 Capital Plan to the Board of Supervisors on July 19, 2016; and

WHEREAS, the Capital Plan review was conducted by members of the Public Works, Economic Development and Planning, and Finance Committees on August 5, 2016 and certain changes were made to the plan; and

WHEREAS, a copy of the revised Capital Plan is on file with the Clerk of the Board of Supervisors; and

WHEREAS, a Public Hearing on the 2017-2021 Capital Plan was conducted on October 18, 2016; and

WHEREAS, the Capital Plan is a planning instrument and not an appropriations or funding commitment; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby adopts the revised Capital Plan that has been filed with the Clerk of the Board for the period 2017-2021.

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

**RESOLUTION NO. 562-16: AUTHORIZATION TO CREATE A PROBATION SUPERVISOR POSITION**

Mr. Smith presented the following:

WHEREAS, there are two Probation Supervisor Positions within the Probation Department; and

WHEREAS, there exists a need for an additional Probation Supervisor for compliance with NYS Division of Criminal Justice Services Regulation Part 347 and the Specifications of Appendix H-10 Standards that governs Supervisor to Probation Officer ratios; and

WHEREAS, it would be to the County's and the Department's advantage to create a Probation Supervisor position, a position covered by CSEA contract in pay grade 14, as a prerequisite to eligibility for State Aid; now, therefore, be it

RESOLVED, that one Probation Supervisor position is created within the Probation Department, to be filled on or after January 1, 2017.

Mrs. Marini moved the adoption of the resolution. Seconded by Mrs. Deyo. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Spickerman and Verno. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 563-16: AUTHORIZATION TO CREATE ONE FULL-TIME PROBATION ASSISTANT POSITION AND ABOLISH ONE FULL TIME SENIOR TYPIST POSITION**

Mr. Smith presented the following:

WHEREAS, there are three current full time Probation Assistant positions within the Probation Department; and

WHEREAS, there exists a need for an additional Probation Assistant to assist in the gathering of information for probation personnel from a variety of sources, including public and private social agencies, law enforcement agencies, courts, employers, etc., and assists in verification of social and legal history data pertaining to individuals serviced by the probation agency; and

WHEREAS, it is the intent of the Director of Probation to restructure the staffing of the Department without adding to the total number of Department positions, by promoting a Senior Typist to the new Probation Assistant position; and

WHEREAS, the fourth Probation Assistant position will be covered by CSEA contract in pay grade 23; now, therefore, be it

RESOLVED, that on or after January 1, 2017, one Probation Assistant position will be created and one Senior Typist position will be abolished once the permanent appointment has been made for the Probation Assistant position, and the incumbent successfully completes the probationary period.

Mr. Verkey moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Spickerman and Verno. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 564-16: AUTHORIZATION TO DECLARE REVOLVER SURPLUS FOR THE DISTRICT ATTORNEY'S OFFICE**

Mr. Smith presented the following:

WHEREAS, the County purchased a .357 magnum Smith and Wesson revolver for the District Attorney's investigator more than twenty-five years ago; and

WHEREAS, said firearm was licensed and permitted to former District Attorney Investigator Jackson Burn; and

WHEREAS, the District Attorney's Office has no use for said firearm; now, therefore, be it RESOLVED, that said .357 Smith and Wesson revolver serial #5K30743 be declared surplus and transferred to the Sheriff's Department.

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

**RESOLUTION NO. 565-16: AUTHORIZATION TO SET SALARY FOR ASSISTANT DISTRICT ATTORNEY FULL-TIME (TABLED – 10/18/16)**

Mr. Smith presented the following:

WHEREAS, there will be a vacancy for a full-time Assistant District Attorney on January 1, 2017; and

WHEREAS, the Board of Supervisors adopted Resolution No. 388-14 establishing implementing procedures for the Managerial Confidential Salary Plan; and

WHEREAS, these implementing procedures reserve certain salary decisions to the Board of Supervisors, including setting a promotional salary rate that is above the first 25% of a positions assigned pay grade rate; and

WHEREAS, the candidate chosen by the District Attorney to fill this position will have at least three years' experience as a prosecutor; and

WHEREAS, budgeted funds are presently available for such position for 2017; now, therefore, be it

RESOLVED, that the District Attorney is hereby authorized to offer a 2017 annual salary of up to \$66,000 to the candidate he selects to the position of Assistant District Attorney full-time.

Smith moved the adoption of the resolution. Seconded by Mr. Miller that the resolution be TABLED until the next Board meeting.

Motion Carried.

**RESOLUTION NO. 566-16: AUTHORIZATION TO SURPLUS EQUIPMENT FOR THE 911 CENTER**

Mr. Smith presented the following:

WHEREAS, the Wayne County 911 Center has moved to its new location, with some furniture not being moved to the new location; and

WHEREAS, there is also miscellaneous computer hardware in the old location that is obsolete; and

WHEREAS, it is desirable to remove and surplus the remaining furniture and computer equipment to allow for jail storage in this location; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to surplus the office furniture as per the Wayne County Disposal policy; and be it further

RESOLVED, that the Director of Emergency Management is hereby authorized to surplus the computer equipment as per the Wayne County Disposal policy.

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

**RESOLUTION NO. 567-16: AUTHORIZATION TO EXECUTE AN AFFILIATION AGREEMENT WITH WAYNE CENTRAL SCHOOL DISTRICT FOR A STUDENT INTERN FOR THE EMERGENCY MANAGEMENT OFFICE**

Mr. Smith presented the following:

WHEREAS, the Wayne County Emergency Management Office periodically agrees to have students participate in unpaid internships through various educational institutions; and

WHEREAS, the Director of Disaster Preparedness has agreed to have Timothy Brower, a student with Wayne Central School District, 6200 Ontario Center Road, Ontario Center, NY 14520, participate in an internship program with the Wayne County Emergency Management Office; and

WHEREAS, said internship is dependent upon an Affiliation Agreement between the County of Wayne and Wayne Central School District; and

WHEREAS, the Director of Disaster Preparedness is requesting that an Affiliation Agreement between the County of Wayne and Wayne Central School District be executed; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an Affiliation Agreement for a student internship with Wayne Central School District, 6200 Ontario Center Road, Ontario Center, NY 14520, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 568-16: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE UNIFIED COURT SYSTEM FOR COURT SECURITY SERVICES AT THE HALL OF JUSTICE**

Mr. Smith presented the following:

WHEREAS, the County of Wayne has entered into an annual agreement with the New York State Unified Court System for the provision of Court Security services at the Hall of Justice for several years; and

WHEREAS, the current agreement with the Unified Court System expired at the end of the New York State fiscal year, March 31, 2016; and

WHEREAS, a new agreement with the Unified Court System for the time period of April 1, 2016 through March 31, 2017, is ready to be executed; and

WHEREAS, said agreement covers the salaries and benefits for the Wayne County Sheriff's Office Court Security Officers assigned to the Hall of Justice, with the total agreement amount being \$659,750; now, therefore be it

RESOLVED, that the Sheriff and the Chairman of the Board of Supervisors are hereby authorized to sign an Agreement with the New York State Unified Court System for the amount of \$659,750, for the provision of Court Security Services at the Hall of Justice for the time period of April 1, 2016 through March 31, 2017, upon review and approval of the County Attorney.

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

**RESOLUTION NO. 569-16: AUTHORIZATION TO AMEND AN AGREEMENT FOR BIO-HAZARDOUS AND MEDICAL WASTE DISPOSAL WITH STERICYCLE FOR THE WAYNE COUNTY SHERIFF'S OFFICE JAIL FACILITY**

Mr. Smith presented the following:

WHEREAS, the Sheriff is requesting the County of Wayne to amend an agreement between the County of Wayne and STERICYCLE for bio-hazardous and medical waste services that was authorized by Resolution No. 729-13; and

WHEREAS, the amended agreement will reduce the cost per month from \$155.00 per month to \$40.59 per month with four facility pickups per year; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute an amended agreement with STERICYCLE upon review and approval by the County Attorney.

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

**RESOLUTION NO. 569-16: RESOLUTION SETTING DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW AMENDING THE MORTGAGE RECORDING TAX WITHIN THE COUNTY OF WAYNE**

Mrs. Marini presented the following:

WHEREAS, NY Tax Law, Section 253-m allows Wayne County to adopt and amend local laws imposing in Wayne County a tax of twenty-five cents for each one hundred dollars and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the County of Wayne and recorded on or after the date upon which such tax takes effect and a tax of twenty-five cents on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars; and

WHEREAS, each enactment of a local law pursuant to the authority of NY Tax Law, Section 253-m may provide for the imposition of a mortgage tax for a period no longer than three years from the date of enactment; and

WHEREAS, the existing local law enacted in Wayne County pursuant to the authority of NY Tax Law, Section 253-m will expire on April 14, 2017; and

WHEREAS, the Board of Supervisors desires to enact an amendment to the existing local law, which will have the effect of extending said local law for a time period of three (3) years, in accordance with NY Tax Law, Section 253-m(6); and

WHEREAS, NY Tax Law, Section 253-m (7) requires that any local law imposing a tax pursuant to that section shall take effect only on the first day of a calendar month, and further that such local law shall not be effective unless a certified copy of such local law is mailed by registered or certified mail to the Commissioner of Taxation and Finance at the Commissioner's office in Albany at least thirty (30) days prior to the date the local law shall take effect, and that certified copies of any local law described in this section shall also be filed with the county clerk of the county of Wayne, the secretary of state and the state comptroller within five (5) days after the date it is duly enacted; now, therefore, be it

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law, that the Board of Supervisors shall hold a public hearing on **Tuesday, November 15, 2016, at 9:10 a.m.**, in the Supervisors' Chambers in the County Court House, Lyons, New York 14489, on the following proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK  
INTRO NO. 2 /LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2016**

A local law amending Local Law No. 4-2005, as amended by Local Law No. 4-2008, as amended by Local Law No. 1 – 2011 and amended by Local Law 1-2014, entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne."

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

**SECTION 1**

~~Section 1 of Local Law 4-2005, as amended by Local Law No. 4-2008 and by Local Law No. 1-2011, entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne" is hereby amended to read as follows:~~

~~Section 1. Imposition of Tax~~

~~Pursuant to Chapter 164 of the Laws of 2005, for the period beginning April 1, 2017 and ending (note: this date must be no longer than three (3) years from the date of enactment), there is hereby imposed, in the county of Wayne, a tax of \$0.25 for each \$100.00, and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the county of Wayne and recorded on or after April 1, 2017 and a tax of~~

~~\$.25 on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.00.~~

**SECTION 2**

Section 7 of Local Law No. 04-2005 as amended by Local Law No. 1 – 2011 and as amended by Local Law 1-2014, entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne" is hereby amended to read as follows:

**Section 7. Effective Date**

This local law shall take effect on the first day of April, 2017, provided a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at least 30 days prior to such date. Certified copies of this local law shall also be filed with the Wayne County Clerk, the Secretary of State, and the State Comptroller within five days after the date it is duly enacted.

Mr. Kolczynski moved the adoption of the resolution. Seconded by Mr. Smith.

Mrs. Marini moved, seconded by Mr. Chatfield, that the resolution be AMENDED in Section 1., by striking out the following:

"(note: this date must be no longer than three (3) years from the date of enactment)", and by adding ....and ending November 15, 2019.

The complete change was amended as follows:

**"SECTION 1**

Section 1 of Local Law 4-2005, as amended by Local Law No. 4-2008 and by Local Law No. 1 -2011, entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne" is hereby amended to read as follows:

Section 1. Imposition of Tax

Pursuant to Chapter 164 of the Laws of 2005, for the period beginning April 1, 2017 and ending November 15, 2019, there is hereby imposed, in the county of Wayne, a tax of \$.25 for each \$100.00, and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the county of Wayne and recorded on or after April 1, 2017 and a tax of \$.25 on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.00".

Motion carried.

Mr. Smith moved, seconded by Mr. Kolczynski, that the amended resolution be adopted.

**RESOLUTION NO. 571-16: AUTHORIZATION TO ADD CERTAIN PROPERTIES ACQUIRED BY COUNTY TAX DEED TO THE 2017 REAL PROPERTY TAX AUCTION**

Mrs. Marini presented the following:

WHEREAS, pursuant to Resolution No. 180-16 certain properties acquired by the County by tax deed were sold at public auction sale held June 15, 2016; and

WHEREAS, such properties were sold at the public auction, bids subject to approval and acceptance by the Board of Supervisors; and

WHEREAS, the following properties were never picked up by the first or second bidder within the prescribed time period as detailed in the Terms and Conditions of the Real Property Tax Auction:

Town of Sodus  
T.M. #67117-00-385954  
5246 Route 104

Village of Wolcott  
T.M. #75117-12-973649  
6277 East Port Bay Road

Town of Lyons  
T.M. #71111-13-094440  
Geneva Street

now, therefore be it

RESOLVED, that due to no bid having been received, that the following parcels will be added to the 2017 Real Property Tax Auction:

Town of Sodus	Village of Wolcott	Town of Lyons
T.M. #67117-00-385954	T.M. #75117-12-973649	T.M. #71111-13-094440
5246 Route 104	6277 East Port Bay Road	Geneva Street

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

**RESOLUTION NO. 572-16: AUTHORIZATION TO EXECUTE LEASE AGREEMENT FOR FOLDER/INSERT SYSTEM WITH PITNEY BOWES FOR THE INFORMATION TECHNOLOGY DEPARTMENT**

Mrs. Marini presented the following:

WHEREAS, the IT Department currently leases a Folder/Inserter machine with drop stacker from Pitney Bowes, Inc. at the rate of \$488 per month/\$5,856 annually; with said lease expiring in November 2016; and

WHEREAS, the Director of IT would like to replace the current folder/insert machine with a new Pitney Bowes Relay 4000 Inserting System with drop stacker for \$401.94 per month/\$4,823.28 annually, a savings of \$1,032.72 per year; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a lease agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Pitney Bowes, Inc. for the leasing of a Pitney Bowes Relay 4000 Inserting System with drop stacker, including maintenance, at a cost not to exceed \$401.94 per month/\$4,823.28 annually, for the lease period of 60 months.

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

**RESOLUTION NO. 573-16: AUTHORIZATION FOR THE INFORMATION TECHNOLOGY DEPARTMENT TO COMPARE PRICING OPTIONS FOR THE PURCHASE AND INSTALLATION OF PHONE VOICE AND FAX SERVICES FOR WAYNE COUNTY DEPARTMENTS**

Mrs. Marini presented the following:

WHEREAS, the Wayne County Information Technology Department has a need to obtain proposals on phone voice and fax services for Wayne County Departments; and

WHEREAS, due to the competitive market, voice phone service pricing changes frequently; and

WHEREAS, it may be fiscally beneficial to compare the pricing from NY State bid pricing and Best Value Contracts prior to issuing a Request for Proposals for a better competitive rate; now, therefore, be it

RESOLVED, that upon research and review by the Director of IT and the County Administrator, of proposals obtained through NY State Bid Contracts and Best Value Contracts, that if it is determined that additional proposals are needed, that the IT Director be authorized to issue Request for Proposals for phone voice and fax services; and be it further

RESOLVED, that the RFP will be reviewed and approved by the County Attorney, as to form and content, before it is distributed; and be it further

RESOLVED, that any responses received, whether by NY State bid pricing, Best Value Contracts or competitive bidding by issuing a Request for Proposals, will be reviewed by the IT Director, County Attorney and Finance Committee of the Board of Supervisors prior to selection of service provider.

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

**RESOLUTION NO. 574-15: AFFIRMING CAPITAL RESERVE FOR BULK FUELING FACILITY AMOUNT AND REAFFIRMING AND RESTATING WAYNE COUNTY'S INTENT TO MAINTAIN A CAPITAL RESERVE FOR BULK FUELING FACILITY**

Mrs. Marini presented the following:

WHEREAS, Wayne County has maintained a Capital Reserve for Bulk Fueling Facility; and

WHEREAS, the Capital Reserve for Bulk Fueling Facility may be utilized to pay for the cost of replacement or upgrade to the Bulk Fueling Facility; and

WHEREAS, the County collects a per gallon surcharge for fuel pumped at the Facility with the proceeds of the surcharge use to fund the Capital Reserve; and

WHEREAS, when the reserve was established the estimated maximum cost was \$200,000; and

WHEREAS, as of December 31, 2015 the Capital Reserve for Bulk Fueling Facility had a balance of \$92,615; and

WHEREAS, Wayne County wishes to restate the establishment of the Capital Reserve for Bulk Fueling Facility pursuant to GML Section 6-c; now, therefore, be it

RESOLVED, that Pursuant to General Municipal Law Section 6-c, Wayne County hereby establishes a Repair Reserve Fund for the purpose of funding certain repairs to capital improvements or equipment; and be it further

RESOLVED, that appropriations from the Capital Reserve for Bulk Fueling Facility shall be made with the approval of the County Highway Superintendent and the Wayne County Board of Supervisors and such actions and proceedings as may be required by Section 6-c of General Municipal Law and any other law; and be it further

RESOLVED, that the Board of Supervisors has determined that it is prudent not to alter the amount in the reserve of \$92,615 at the present time.

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

**RESOLUTION NO. 575-16: AFFIRMING INSURANCE RESERVE FUND AMOUNT AND REAFFIRMING AND RESTATING WAYNE COUNTY'S INTENT TO MAINTAIN A REPAIR RESERVE FUND**

Mrs. Marini presented the following:

WHEREAS, the Self-Insurance Specialist, County Administrator, and Management Assistant have reviewed the County's Liability and Casualty claims history and outstanding claims; and

WHEREAS, Wayne County has changed its Insurance Program from a Self-Insured Retention to a Deductible Program in 2014; and

WHEREAS, based upon the aforesaid review it has been recommended that the County should maintain the Insurance Reserve at \$3,000,000; and

WHEREAS, the amount in the Insurance Reserve was \$3,159,493 as of December 31, 2015; and

WHEREAS, Wayne County wishes to restate the establishment of the Insurance Reserve pursuant to GML Section 6-n; now therefore be it

RESOLVED, that Pursuant to General Municipal Law Section 6-n, Wayne County hereby establishes an Insurance Reserve for the purpose of funding certain uninsured losses, claims, actions, or judgments except for the following types of insurance, which Wayne County is authorized or required to purchase or maintain:

Life Insurance

Annuities

Accident and Health Insurance

Workers Compensation and Employers' Liability Insurance

Fidelity and Surety Insurance

Credit Insurance

Title Insurance  
Residual Value Insurance  
Mortgage Guarantee Insurance  
Unemployment Insurance Contributions

and be it further

RESOLVED, that the minimum amount of the reserve shall be established at \$3,000,000;

and be it further

RESOLVED, that the Board of Supervisors has determined that it is prudent not to alter the amount in the reserve of \$3,159,493 at the present time.

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

**RESOLUTION NO. 576-16: AFFIRMING REPAIR RESERVE FUND AMOUNT AND REAFFIRMING AND RESTATING WAYNE COUNTY'S INTENT TO MAINTAIN A REPAIR RESERVE FUND**

Mrs. Marini presented the following:

WHEREAS, Wayne County has maintained a Repair Reserve Fund; and

WHEREAS, the Repair Reserve Fund may be utilized to pay for certain repairs to capital improvements or equipment; and

WHEREAS, the type of repairs must not recur annually or at shorter intervals; and

WHEREAS, as of December 31, 2015 the Repair Reserve Fund had a balance of \$285,289; and

WHEREAS, Wayne County wishes to restate the establishment of the Repair Reserve Fund pursuant to GML Section 6-d; now, therefore, be it

RESOLVED, that Pursuant to General Municipal Law Section 6-d, Wayne County hereby establishes a Repair Reserve Fund for the purpose of funding certain repairs to capital improvements or equipment; and be it further

RESOLVED, that appropriations from the Repair Reserve Fund are subject to a public hearing with at least five days' notice of public hearing being provided unless expenditure is required due to an emergency; and be it further

RESOLVED, that the Board of Supervisors has determined that it is prudent not to alter the amount in the reserve of \$285,289 at the present time.

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

**RESOLUTION NO. 577-16: AFFIRMING RETIREMENT CONTRIBUTION RESERVE FUND AMOUNT AND REAFFIRMING AND RESTATING WAYNE COUNTY'S INTENT TO MAINTAIN A RETIREMENT CONTRIBUTION RESERVE FUND**

Mrs. Marini presented the following:

WHEREAS, Wayne County established Retirement Contribution Reserve Fund in 2012;

and

WHEREAS, the Retirement Contribution Reserve Fund may be utilized to pay for the County's contribution requirements to the New York State and Local Retirement System; and

WHEREAS, as of December 31, 2015 the Retirement Contribution Reserve Fund had a balance of \$1,058,646; and

WHEREAS, \$1,000,000 was authorized for use in the 2016 budget leaving a balance of \$58,646; and

WHEREAS, Wayne County wishes to restate the establishment of the Retirement Contribution Reserve Fund pursuant to GML Section 6-r; now, therefore, be it

RESOLVED, that Pursuant to General Municipal Law Section 6-r, Wayne County hereby establishes a Retirement Contribution Reserve Fund for the purpose of funding the County's Contribution requirements to the New York State and Local Retirement System; and be it further

RESOLVED, that appropriations from the Retirement Contribution Reserve Fund are

subject to a public hearing with at least fifteen days' notice of public hearing being provided; and be it further

RESOLVED, that the Board of Supervisors has determined that it is prudent not to alter the amount in the reserve of \$58,646 at the present time, due to recent utilization of the reserve to assist with Tax Levy stabilization for cost associated with New York State Retirement System payments.

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

**RESOLUTION NO. 578-16: ADOPTION OF 2017-2021 CAPITAL PLAN FOR WAYNE COUNTY (RESCINDED-Duplicate)**

Mrs. Marini presented the following:

WHEREAS, the County Administrator submitted the proposed 2017-2021 Capital Plan to the Board of Supervisors on July 19, 2016; and

WHEREAS, the Capital Plan review was conducted by members of the Public Works, Economic Development and Planning, and Finance Committees on August 5, 2016 and certain changes were made to the plan; and

WHEREAS, a copy of the revised Capital Plan is on file with the Clerk of the Board of Supervisors; and

WHEREAS, a Public Hearing on the 2017-2021 Capital Plan was conducted on October 18, 2016; and

WHEREAS, the Capital Plan is a planning instrument and not an appropriations or funding commitment; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby adopts the revised Capital Plan that has been filed with the Clerk of the Board for the period 2017-2021.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Miller to Rescind the resolution.

Motion Carried.

**RESOLUTION NO. 579-16: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION)**

Mrs. Marini presented the following:

WHEREAS, proceedings to review real property tax assessments are annually commenced against assessing units, namely the Towns of Wayne County; and

WHEREAS, County taxes are based upon assessments established by the assessing units; and

WHEREAS, the County tax levy is, therefore, affected by any court ordered or stipulated reduction in assessed valuation; and

WHEREAS, this Board approved Resolution No. 444-95, amended by Resolution No. 700-06, which was amended by Resolution No. 688-07 which was again amended by Resolution No. 307-10 and subsequently amended by Resolution No. 591-15 which defined standards and procedures for County participation in litigation involving challenges to real property assessments; and

WHEREAS, a request from the Town of Walworth has been received by the Real Property Tax Services Director and reviewed and recommended by the Director and the County Attorney; and

WHEREAS, the written request from the Town of Walworth does include statement of fact that the **Town of Walworth and the Wayne Central School District** have resolved for their respective Board approval to share in the defense costs for Real Property Tax Assessment review Article 7 proceedings; now, therefore, be it

RESOLVED, that the County of Wayne will participate in providing financial assistance for litigation challenges of real property tax assessments per the provisions of Resolution No. 591-15 for the following Town and their respective petition:

TOWN	Property Owner	Parcel ID#	Index #(s)
Walworth	Greystone Golf, LLC	62115-00-616205	2016-79837

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

**RESOLUTION NO. 580-16: ADOPTING 2017 SALARY SCHEDULE FOR THE BOARD OF SUPERVISORS AND THE CHAIRMAN OF THE BOARD**

Mrs. Marini presented the following:  
 WHEREAS, the County of Wayne needs to establish a salary for the Members of the Board of Supervisors and the Chairman of the Board of Supervisors for 2017; and  
 WHEREAS, the Board of Supervisors adopted a salary schedule in 2014; and  
 WHEREAS, the Budget Officer will allocate sufficient funds for the salaries listed below for 2017; now, therefore be it  
 RESOLVED, that the Board of Supervisors hereby adopts the following salary schedule for the Board of Supervisors for the year 2017:

Supervisors	\$16,018
Chairman of the Board	\$21,581

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

Mrs. Marini noted that she would be withdrawing the resolution transmittal entitled, "RESOLUTION NO. 1-12: ACKNOWLEDGING RECEIPT OF THE 2017 TENTATIVE WAYNE COUNTY BUDGET".

**RESOLUTION NO. 581-16: ESTABLISHING A DATE FOR PUBLIC HEARING ON THE 2017 WAYNE COUNTY TENTATIVE BUDGET**

Mrs. Marini presented the following:  
 WHEREAS, the Tentative Budget for the County of Wayne for the fiscal year beginning January 1, 2017, will be presented to the Board of Supervisors by November 15, 2016; now therefore be it  
 RESOLVED, pursuant to Section 359 of the County Law of the State of New York as follows:

SECTION 1. A public hearing on the tentative budget shall be held in the Supervisors' Chambers at the County Court House, 26 Church Street, Lyons, New York, on Tuesday, December 6, 2016 at 7:10 pm. Copies of the tentative budget on which the public hearing will be held will be available in the Clerk of the Board of Supervisors' office after November 15, 2016 and may be inspected or procured therein by any interested person during business hours.

SECTION 2. At least five (5) days' notice of such hearing shall be given by the Clerk of the Board of Supervisors by posting such notice on the bulletin board in the County Court House and by publication of such notice in the official newspapers of the County.

SECTION 3. The notice of public hearing shall include a statement of maximum salary that may be fixed and payable during said fiscal year to the members of the Board of Supervisors and the Chairman, respectively.

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

**RESOLUTION NO. 582-16: RESOLUTION URGING GOVERNOR CUOMO TO SIGN AND ENACT IN LAW ASSEMBLY BILL A.10510/SENATE BILL S.4237-A, THE WESTERN NEW**

**YORK RACINO VENDOR FEE BILL**

Mrs. Marini presented the following:

WHEREAS, legal, regulated gaming continues to expand in New York State since the enactment of the 2013 constitutional amendments permitting full casino gaming and the Upstate New Your Gaming Economic Development Act, with three licenses awarded to private casinos as of March of this year; and

WHEREAS, the racino operation at Batavia Downs benefit 17 Western New York municipalities, designated as municipal owners of the same, a public benefit corporation with a \$21.5 million education contribution in 2015; and

WHEREAS, the expansion of gaming under the Upstate New York Gaming Economic Development Act is likely to encroach on the operating areas of the same as the del Lago Resort & Casino slated for Seneca County will present a new gaming facility in direct competition with the existing Batavia Downs racino; and

WHEREAS, the Honorable Crystal Peoples-Stokes, Member of the Assembly from Buffalo, and the Honorable Patrick Gallivan, Senator from Elma, have proposed legislation, Assembly Bill A10510 and Senate Bill S.4237-A, with A.10510/S.4237-A being passed with nearly unanimous support; and

WHEREAS, said legislation would enable racino facilities including Batavia Downs to realize an increase in revenues, both benefiting its municipal owners and empowering Batavia Downs to make key investments in expansion that would enable it to compete with del Lago Resort and other potential casinos that may be licensed under the Upstate New York Gaming Economic Development Act; and

WHEREAS Governor Andrew M. Cuomo must still sign the bill into law to ensure its enactment; now, therefore, be it

RESOLVED, that the County of Wayne does hereby call upon Governor Cuomo to execute this legislation and ensure that Batavia Downs may continue to operate effectively and serve as a public benefit corporation that benefits residents of local communities through job creation, business relationships, and educational contributions; and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, NYS Senate Majority and Minority Leaders, NYS Assembly Majority and Minority Leaders, NYS Senator Michael Nozzolio and NYS Assemblyman Robert Oaks, and all others deemed necessary and proper.

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

**ANNOUNCEMENTS**

Chairman LeRoy announced that pursuant to a resolution adopted today, the annual public hearing on the tentative 2017 Wayne County Budget has been scheduled for Tuesday, December 6, 2016 at the Wayne County Board meeting, starting at 7 pm.

Further noted that following today's board meeting, the Wayne County Partnership for Strengthening Families, Wayne Wellness Coalition and Wayne County Action for Racial Equality are sponsoring a luncheon for Board Members at the WFL BOCES Conference Facility in Newark, to hear from these District Work Groups and to incorporate student's ideas of peers from other districts and local leaders.

**ADJOURNMENT:**

The next scheduled meeting of the Board is **Tuesday, November 15, 2016 at 9:00 a.m.**

Mrs. Crane moved, seconded by Mrs. Marini, that the board adjourn at 9:45 a.m. Carried.

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

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