

AGENDA
PUBLIC WORKS COMMITTEE
Wednesday, January 4, 2023 9:00 a.m.
Members:

9:00 a.m. **Approve minutes from previous meeting**

9:00 a.m. **Weights and Measures, Ted Dymont**

MONTHLY REPORT [W&M December 2022 monthly report.pdf](#)

9:05 a.m. **Soil and Water Conservation District, Lindsey Gerstenslager**

NO BUSINESS

9:05 a.m. **Public Works, Kevin Rooney**

TRANSMITTALS:

- Authorization to Obtain Permanent Easements for Highway Projects (1) [PW01 RES01 Obtain Easements-HWY.doc](#)
- Authorization to Obtain Permanent Easements for Highway Projects (2) [PW01 RES05 obtain easements gananda.doc](#)
- Authorization to Sign License Agreement with Tioga Construction [PW01 RES02 agreement to Tioga Construction.doc](#)
- Authorization to Sign Indemnification Agreement with NYS DOT [PW01 RES03 NYSIndemnificationAgreement.doc](#)
- Authorization to Sign Agreement with US Ecology [PW01 RES08 contract for oil separator cleaning.doc](#)
- Authorization to Create Projects in Highway Department [PW01 RES04 Create Construction Projects.doc](#)
- Authorization to Establish Hourly Wages for Seasonal Positions [PW01 RES06 - Set Seasonal Rates for 2023.doc](#)
- Authorization to Amend Park Equipment Budget [PW01 RES07 - Auth to amend Park Equipment Budget.doc](#)
- Compensate Highway Employees for Unused 2022 Leave Accruals [PW01 RES09 authorize pay.doc](#)

DISCUSSION:

Buffalo Blizzard Assistance
Contaminated Soils at Highway Building in Lyons
County Vehicle Purchases



**WAYNE COUNTY
DEPARTMENT OF
WEIGHTS MEASURES - CONSUMER AFFAIRS
PUBLIC WORKS COMMITTEE MONTHLY REPORT**

December 2022

Theodore Dymont
Director

Monthly Device Inspection Test Results

Device Type	Total Devices	Results of Initial Tests						Total Rechecks	Incorrect Visual Inspection	No. Devices Not Tested
		Total Initial	Test Correct		Test Incorrect					
			Correct	%	Plus	Minus	Other			
Computing Scale	176	3	2	67%	0	0	0	173	4	1
Pre-Pack Scale	48	1	1	100%	0	0	0	47	3	0
Customer Scale	9	0	0	0%	0	0	0	9	0	0
Vehicle Scale	4	3	0	0%	0	1	0	1	0	2
Monorail Scale										
Prescription Scale										
Hopper/Batch/Tank Scale										
Platform Scale	15	9	5	56%	2	2	0	6	1	0
Livestock Scale										
Miscellaneous Scale	8	5	3	60%	1	0	1	3	0	0
Petroleum Pump	19	19	19	100%	0	0	0	0	2	0
Petroleum Meter VTM	3	3	1	33%	0	0	0	0	0	2
Meter Other										
Rack Meter										
Liquid Measure										
Volumetric Measure										
Linear Measure										
Linear Measuring Device										
Timing Device	2	2	2	100%	0	0	0	0	0	0
Taximeter										
Miscellaneous Device										
LPG Meters										
Non-Commercial Devices	10	10	6	60%	0	0	0	0	0	4
Weights Pharmacy										
Weights Other	6	6	6	100%	0	0	0	0	0	0

Package Checking

I/O	Type	Total in Lots	Total Weighed	# Lots	# Lots Failed
I	Audit	2,540	671	218	4
O	Audit	607	271	20	1

Samples Collected

Fines

No.	1	Total:	600

Misc. Packages checked not reported, rough guess: 0



P.O. Box 309
 Lyons, New York 14489
 Telephone: (315) 946-5620

**WAYNE COUNTY
 DEPARTMENT OF
 WEIGHTS MEASURES - CONSUMER AFFAIRS
 PUBLIC WORKS COMMITTEE MONTHLY REPORT
 December 2022**

Theodore Dymont
 Director

Scanner Pricing Accuracy

<i>Type of Inspection</i>	<i># of Inspections</i>	<i># Items Checked</i>	<i># Over Charges</i>	<i># Under Charges</i>	<i>Not on File</i>	<i># Insp Failed</i>	<i>% Failed</i>
Complaint - Individual Items							
Audit Inspections							
Full Inspections							
Reinspections - Audit or Full	2	200	16	5	0	2	100%

Establishment Vists: 28

Notes: Had holiday meeting at Monroe Co W&M with surrounding county directors.
 Penalty issued for price accuracy re-inspection failure.

RESOLUTION TRANSMITTAL

Committee No. 3

Date: January 4, 2023

Committee Chair: Lynn Chatfield
Department Head: Kevin Rooney

AUTHORIZATION TO OBTAIN PERMANENT EASEMENTS FOR HIGHWAY PROJECTS

WHEREAS, the Highway Department has a need to obtain easements for drainage projects where work will extend beyond the right-of-way, and

WHEREAS, staff from the Highway Department have met with the residents and have developed maps and descriptions to be filed with the County Clerk's office, and

WHEREAS, the list below identifies the property owners that will require easements:

Paul and Diane Vanbortel, 75110-00-423220, 383 Tyre Rd, Clyde, NY 14433

Michael P. Griffin Jr., 75110-00-297258, 403 Tyre Rd, Clyde, NY 14433

Ronald and Roseanne Demass, 75119-00-866271, 7586 Brown Rd, Wolcott, NY 14590

Eleanor Sears, 75119-16-806250, 7557 East Port Bay Rd, Wolcott, NY 14590

Gary Countryman, 75119-16-817268, 7583 East Port Bay Rd, Wolcott, NY 14590

now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign easement documents, subject to the review and approval of the County Attorney as to form and content.

Budgeted: yes ___ no ___ Proposed Cost: ___ 0 ___ Reimbursed Amount _____ County cost ___ 0 ___

Departmental transfer \$ _____ from Account No. _____ to Account No. _____

County Administrator's Review: _____ Date: _____

Human Resources Office Review: yes ___ no ___ N/A ___ Signature: _____

County Attorney Review: yes ___ no ___ N/A ___ Signature: _____

Standing Committee: Ayes _____ Nays _____ Date: _____ Signature: _____

Signature/Date Rec'd: _____ Clerk, Board of Supervisors

Referred to:

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____

RESOLUTION TRANSMITTAL

Committee No. 3

Date: January 4, 2023

Committee Chair: Lynn Chatfield
Department Head: Kevin Rooney

AUTHORIZATION TO OBTAIN PERMANENT EASEMENTS FOR HIGHWAY PROJECT

WHEREAS, the Highway Department has a need to obtain easements for an intersection improvement project where work will extend beyond the right-of-way, and

WHEREAS, staff from the Highway Department have met with the residents and have developed maps and descriptions to be filed with the County Clerk's office, and

WHEREAS, the list below identifies the property owners that will require easements:

Wayne County Water & Sewer Authority, 61114-19-503078, 3424 West Walworth Rd, Macedon NY 14502

Wayne County Water & Sewer Authority, 61114-19-504087, 3424 West Walworth Rd, Macedon NY 14502

Town of Walworth, 61114-18-376008, 350 Mildahn Rd, Walworth, NY 14568

Melissa A Judd, 61114-18-473033, 565 Crows Nest Ln, Macedon, NY 14502

Kevin V. Pockalny and Karen A. Coyle, 61114-18-443098, 3435 West Walworth Rd, Macedon, NY 14502

Timothy and Jayne Verschage, 61114-19-505052, 6509 Salmon Creek Road, Williamson NY 14589

now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign easement documents, subject to the review and approval of the County Attorney as to form and content.

Budgeted: yes ___ no ___ Proposed Cost: ___ 0 ___ Reimbursed Amount _____ County cost ___ 0 ___

Departmental transfer \$ _____ from Account No. _____ to Account No. _____

County Administrator's Review: _____ Date: _____

Human Resources Office Review: yes ___ no ___ N/A ___ Signature: _____

County Attorney Review: yes ___ no ___ N/A ___ Signature: _____

Standing Committee: Ayes _____ Nays _____ Date: _____ Signature: _____

Signature/Date Rec'd: _____ Clerk, Board of Supervisors

Referred to:

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____

RESOLUTION TRANSMITTAL

Committee No: 3

Date: January 4, 2023

Committee Chair: Lynn Chatfield
Department Head: Kevin Rooney

AUTHORIZATION TO ENTER INTO A LICENSE AGREEMENT WITH TIOGA CONSTRUCTION COMPANY TO STORE MATERIALS AND EQUIPMENT IN A PORTION OF THE ECCC PARKING LOT

WHEREAS, Tioga Construction Company is performing emergency repairs to Lock E-27 in Lyons and has requested to use a portion of the ECCC parking lot to stage materials before the materials and equipment; and

WHEREAS, the Superintendent of Public Works has reviewed this request and has agreed that this short term use is appropriate; and

WHEREAS, the Superintendent of Public Works will meet with a representative of Tioga Construction Company prior to the start of the staging to document the existing conditions in the parking lot; and

WHEREAS, Tioga Construction Company will be responsible for restoring the parking lot area to pre-construction condition; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a license Agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Tioga Construction Company for the purpose of storing materials and equipment in a portion of the ECCC parking lot in Lyons.

Budgeted: yes ___ no ___ Proposed Cost: ___0___ Reimbursed Amount _____ County cost ___0___

Departmental transfer \$ _____ from Account No. _____ to Account No. _____

County Administrator's Review: _____ Date: _____

Human Resources Office Review: yes ___ no ___ N/A ___ Signature: _____

County Attorney Review: yes ___ no ___ N/A ___ Signature: _____

Standing Committee: Ayes _____ Nays _____ Date: _____ Signature: _____

Signature/Date Rec'd: _____ Clerk, Board of Supervisors

Referred to:

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____

RESOLUTION TRANSMITTAL

Committee No. 3

Date: January 4, 2023

Committee Chair: Lynn Chatfield
Department Head: Kevin Rooney

AUTHORIZATION TO ENTER INTO INDEMNIFICATION AGREEMENT BETWEEN WAYNE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR SPECIAL HAULING PERMITS, DIVISIBLE LOAD OVERWEIGHT PERMITS, AND/OR RESTRICTED VEHICLE PERMITS

WHEREAS, that pursuant to the provisions of Part 154, Title 17, Official Compilation of Codes, Rules and Regulations of the State of New York, by and between the People of the State of New York, all municipal subdivisions thereof except the party of the second part, and the Commissioner of the New York State Department of Transportation, the New York State Thruway Authority, the State Bridge Authority and their officials, officers, agents and employees, parties of the first part, acting through and between the Commissioner of Transportation or his designee ("DOT") and the County of Wayne, party of the second part.

WHEREAS, the County of Wayne intends to apply for and receive permits pursuant to subpart 154-1 and/or subpart 154-2 of Title 17 of the official compilation of codes, rules and regulations of the State of New York, from the Department of Transportation for the operation of certain of its vehicles; and

WHEREAS, the Commissioner of Transportation has determined that this agreement will protect the interests of the People of the State of New York to the same extent as protective liability insurance coverage; now therefore, be it

RESOLVED, that the County of Wayne, in lieu of obtaining protective liability insurance coverage with respect to such permits, hereby agrees to assume the risk of, and to release, indemnify, protect, defend and save harmless the parties of the first part and/or all employees of the party of the first part from and against any and all claims, demands, actions, settlements, awards and judgments for such loss, injury, death or damage and any cost or expense in connection therewith caused by or arising out of the issuance and/or use of such permits; and be it further.

RESOLVED, that the party of the second part hereby agrees to indemnify and save harmless the parties of the first part and/or all employees of the parties of the first part from all liability of claims, demands and costs for or arising out of the issuance and/or use of such permits or the acceptance of such permits, whether caused by negligence of the part of the second part or by anyone acting by, through or for the party of the second part or caused by negligence, including omissions and supervisory acts, of the parties of the first part; and be it further

RESOLVED, that any payments required by the foregoing will be guaranteed by the full faith and credit of the party of the second part, or its districts, as applicable, and will be paid out of current budgeted funds, or if insufficient, from its liability and casualty reserve fund or from the proceeds of bonds which current laws permit the party of the second part to issue to pay claims against it.

Budgeted: yes ___ no ___ Proposed Cost: ___ 0 ___ Reimbursed Amount _____ County cost ___ 0 ___

Departmental transfer \$ _____ from Account No. _____ to Account No. _____

County Administrator's Review: _____ Date: _____

Human Resources Office Review: yes ___ no ___ N/A ___ Signature: _____

County Attorney Review: yes ___ no ___ N/A ___ Signature: _____

Standing Committee: Ayes _____ Nays _____ Date: _____ Signature: _____

Signature/Date Rec'd: _____ Clerk, Board of Supervisors

Referred to:

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____

RESOLUTION TRANSMITTAL

Committee No: 3

Date: January 4, 2023

Committee Chair: Lynn Chatfield
Department Head: Kevin Rooney

AUTHORIZATION TO SIGN AGREEMENT WITH US ECOLOGY FOR OIL-WATER SEPARATOR CLEANING AND DISPOSAL

WHEREAS, the Highway Department has an oil-water separator tank that needs periodic cleaning and disposal of materials; and

WHEREAS, the Superintendent of Public Works has obtained estimates to perform this service, and

WHEREAS, US Ecology has provided an estimate of \$5,319.75 to remove and dispose of the materials, now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to sign a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with US Ecology for the services related to cleaning the oil-water separator.

Budgeted: yes ___ no ___ Proposed Cost: ___ 5319.75 ___ Reimbursed Amount _____ County cost ___ 5319.75 _____

Departmental transfer \$ _____ from Account No. _____ to Account No. _____

County Administrator's Review: _____ Date: _____

Human Resources Office Review: yes ___ no ___ N/A ___ Signature: _____

County Attorney Review: yes ___ no ___ N/A ___ Signature: _____

Standing Committee: Ayes _____ Nays _____ Date: _____ Signature: _____

Signature/Date Rec'd: _____ Clerk, Board of Supervisors

Referred to:

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____

RESOLUTION TRANSMITTAL

Committee No. 3

Date: January 4, 2023

Committee Chair: Lynn Chatfield
Department Head: Kevin Rooney

AUTHORIZATION TO CREATE PROJECTS IN THE HIGHWAY DEPARTMENT

WHEREAS, in accordance with Section 115 of the Highway Law, the Superintendent of Public Works has prepared Project Statements for the proposed work for the following projects:

23-78	Surface Treating Section A Project	\$ 325,000
23-79	Surface Treating Section B Project	\$ 350,000

and a supplemental project statement of proposed work for the following project:

22-62	Lakes Corners Rose Valley Rd Drainage Project	\$160,000
-------	---	-----------

now, therefore, be it

RESOLVED, that the Project Statements prepared by the Superintendent of Public Works are hereby approved by the Board of Supervisors, and the Chairman of the Board and the Clerk of the Board are hereby authorized and directed to endorse such approval on the Project Statements; and be it further

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

D5112 Road Construction

(Appropriations)

\$835,000 from .52600 Highway Construction to the following Chips Projects:

\$325,000 to .52673 23-78 Surface Treating Section A Project

\$350,000 to .52673 23-79 Surface Treating Section B Project

\$160,000 to .52670 22-62 Lakes Corners Rose Valley Rd Drainage Project

Budgeted: yes no Proposed Cost: \$835,000 Reimbursed Amount \$835,000 County Cost 0

Departmental transfer \$ _____ from Account No. _____ to Account No. _____

County Administrator's Review: _____ Date: _____

Human Resources Office Review: yes no N/A Signature: _____

County Attorney Review: yes no N/A Signature: _____

Standing Committee: Ayes _____ Nays _____ Date: _____ Signature: _____

Signature/Date Rec'd: _____ Clerk, Board of Supervisors

Referred to:

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____

RESOLUTION TRANSMITTAL

Committee No. 3

Date: January 4, 2023

Committee Chair: Lynn Chatfield
Department Head: Kevin Rooney

ESTABLISHING HOURLY WAGES FOR 2023 SEASONAL POSITIONS IN THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Public Works Department has a need to hire persons to fill several seasonal positions in various titles; and

WHEREAS, the 2023 budget contains funds for these positions; and

WHEREAS, it is necessary for the Board of Supervisors to establish the hourly wage for said positions; now therefore be it

RESOLVED, that the Wayne County Superintendent of Public Works is hereby authorized to compensate the following seasonal positions at the hourly rates stated to take effect January 1, 2023:

- (1) Engineer Technician, Seasonal - \$17.00
- (3) Seasonal Motor Equipment Operator #2 - \$20.00
- (6) Parks Laborer, seasonal - \$15.50
- (2) Parks Foreman, seasonal - \$18.00

Budgeted: yes no Proposed Cost: _____ Reimbursed Amount _____ County cost _____

Departmental transfer \$ _____ from Account No. _____ to Account No. _____

County Administrator's Review: _____ Date: _____

Human Resources Office Review: yes no N/A Signature: _____

County Attorney Review: yes no N/A Signature: _____

Standing Committee: Ayes _____ Nays _____ Date: _____ Signature: _____

Signature/Date Rec'd: _____ Clerk, Board of Supervisors

Referred to:

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____

RESOLUTION TRANSMITTAL

Committee No. 3

Date: January 4, 2023

Committee Chair: Lynn Chatfield
Department Head: Kevin Rooney

AUTHORIZATION TO AMEND PARK EQUIPMENT BUDGET

WHEREAS, the Park's 2023 equipment budget included the purchase of a Zero Turn lawn mower; and
WHEREAS, the Deputy Superintendent of Publics Works budgeted \$13,000 for said purchase; and
WHEREAS, the Deputy Superintendent has received a quote from the Omnia Contract# 252054 totaling \$13,439.00 for the mower, and

WHEREAS, the Deputy Superintendent has identified funds from another equipment line to be used to offset the shortfall of \$439.00 now, therefore be it

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

A7110 Parks

(Appropriations)

\$439 from .52000 Equipment & Other Cap Outlay

\$439 to .52500 Other Equipment

Budgeted: yes no Proposed Cost: Reimbursed Amount County cost \$13,439

Departmental transfer \$ from Account No. to Account No.

County Administrator's Review: Date:

Human Resources Office Review: yes no N/A Signature:

County Attorney Review: yes no N/A Signature:

Standing Committee: Ayes Nays Date: Signature:

Signature/Date Rec'd: Clerk, Board of Supervisors

Referred to:

Committee: Ayes Nays Date: Signature:

Committee: Ayes Nays Date: Signature:

RESOLUTION TRANSMITTAL

Committee No: 3

Date: January 4, 2023

Committee Chair: Lynn Chatfield
Department Head: Kevin Rooney

AUTHORIZATION TO COMPENSATE HIGHWAY EMPLOYEES FOR UNUSED 2022 LEAVE ACCRUALS

WHEREAS, Two Highway department employees had intended to utilize leave time accruals during the last week of December 2022 to keep their leave accruals below the 240 hour threshold, and

WHEREAS, the two employees volunteered to travel to Buffalo from December 27 to December 30 to assist with the snow removal efforts, and

WHEREAS, since they were working in Buffalo, they were not able to use their 2022 leave accruals, and

WHEREAS, after discussion with the Payroll department, it is appropriate to allow for the payment of unused accruals as noted below:

Dennis Krebbeks – roll over 4 hours of unused leave accruals to 2023

Matthew Lee – pay 34 hours of leave time at his 2022 hourly rate

Now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors authorizes the compensation of unused 2022 leave accruals to two Highway employees as stated above.

Budgeted: yes ___ no ___ Proposed Cost: ___ 0 ___ Reimbursed Amount _____ County cost ___ 0 ___

Departmental transfer \$ _____ from Account No. _____ to Account No. _____

County Administrator's Review: _____ Date: _____

Human Resources Office Review: yes ___ no ___ N/A ___ Signature: _____

County Attorney Review: yes ___ no ___ N/A ___ Signature: _____

Standing Committee: Ayes _____ Nays _____ Date: _____ Signature: _____

Signature/Date Rec'd: _____ Clerk, Board of Supervisors

Referred to:

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____

Committee: _____ Ayes _____ Nays _____ Date: _____ Signature: _____