

**AGENDA**  
**PUBLIC WORKS COMMITTEE**  
**Wednesday, June 8<sup>th</sup> 8:00 a.m.**  
**County Highway Building, Route 31 Lyons**

*Members: Chatfield, Kolczynski, Verno, Mettler, Brady*

**Due to time restrictions, we ask that you please stick to your allotted time/duration.**

8:00 a.m. **Approve minutes from previous meeting**

8:00 a.m. **Weights and Measures, Ted Dymont**

MONTHLY REPORT [WM May 2022 Monthly Report.pdf](#)

8:10 a.m. **WC Water and Sewer Authority, Marty Aman, Executive Director**  
Presentation

8:20 a.m. **Public Works, Kevin Rooney**

CRESCENT BEACH REDI PROJECT UPDATE

TRANSMITTALS:

- Authorization to declare vehicles surplus [PW06 RES01 Declare vehicles surplus.doc](#)
- Authorization to amend County Roads Budget [PW06 RES02 Amend County Highway budget for CHIPS.doc](#)
- Authorization to commit to future monitoring and maintenance of Crescent Beach REDI Project [PW06 RES03 Crescent beach maintenance rev1.doc](#)
- Authorization to abolish and create positions [PW06 RES04 Abolish-create position in HWY.doc](#)
- Authorization to establish Hall of Justice HVAC Replacement Project [PW06 RES05 - Establish Hall of Justice HVAC Replacement Project REV2.doc](#)
- Authorization to establish B. Forman Park House Roof Replacement Project [PW06 RES06 - Establish B. Forman House Roof Replacement Project.doc](#)
- Authorization to sign agreement with AAC Contracting [PW06 RES07 - sign agreement with AAC for elevator abatement.doc](#)

8:50 a.m. **OTHER BUSINESS**

TRANSMITTAL:

- Authorization to amend Resolution #270-22 relating to County Parking Lot [COTB 06RES01 LL Pearl St..doc](#)

8:55 a.m. **Soil and Water Conservation District, Lindsey Gerstenslager**

TRANSMITTAL:

- Authorization to oppose proposed State Legislation

9:00 a.m. **Tour of County Highway Facility**



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

**May 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	11	10	10	100%	0	0	0	1	1	0
Pre-Pack Scale	5	5	5	100%	0	0	0	0	0	0
Customer Scale										
Vehicle Scale	8	4	0	0%	0	3	1	4	1	0
Monorail Scale										
Prescription Scale										
Hopper/Batch/Tank Scale	1	1	1	100%	0	0	0	0	1	0
Platform Scale	9	9	9	100%	0	0	0	0	2	0
Livestock Scale										
Miscellaneous Scale	7	7	5	71%	0	0	2	0	3	0
Petroleum Pump	128	117	115	98%	1	0	1	11	18	0
Petroleum Meter VTM										
Meter Other	1	1	1	100%	0	0	0	0	0	0
Rack Meter										
Liquid Measure										
Volumetric Measure										
Linear Measure										
Linear Measuring Device	1	1	1	100%	0	0	0	0	1	0
Timing Device	10	10	10	100%	0	0	0	0	2	0
Taximeter										
Miscellaneous Device										
LPG Meters										
Non-Commercial Devices	8	8	7	88%	0	1	0	0	0	0
Weights Pharmacy										
Weights Other	39	39	39	100%	0	0	0	0	0	0

**Package Checking**

I/O	Type	Total in Lots	Total Weighed	# Lots	# Lots Failed
I	Audit	406	91	12	0
O	Audit	33	24	2	0

**Samples Collected**

Gasoline	24
Diesel Fuel	1

**Fines**

No.	0	Total:	0
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Misc. Packages checked not reported, rough guess: 12



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

May 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							

*Establishment Vists:* 54

*Notes:* Petroleum sample failure lead to an investigation. Significant fine pending.

**RESOLUTION TRANSMITTAL**

Committee No. 3

Date: June 8, 2022

Committee Chair: Lynn Chatfield  
Department Head: Kevin Rooney

**AUTHORIZATION TO DECLARE VEHICLES SURPLUS IN THE PUBLIC WORKS DEPARTMENT**

WHEREAS, the Highway Department has the vehicles listed below that should be disposed of as noted:

1995 Chevrolet Pickup	VIN 1GCGC24K7SE213112	Auction
1995 International Dump	VIN 1HTSCAAN6SH633870	Auction

Now, therefore be it

RESOLVED, that the vehicles listed above be sold at an upcoming public auction, in accordance with the County's Equipment Disposition policy

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: June 8, 2022

Committee Chair: Lynn Chatfield  
Department Head: Kevin Rooney

**AUTHORIZATION TO AMEND 2022 COUNTY ROADS BUDGET FOR ADDITIONAL CHIPS FUNDING**

WHEREAS, the New York State Department of Transportation has approved and allocated additional CHIPS Funds for the 2022-2023 Fiscal Year; and

WHEREAS the CHIPS Funds allocated by the State is \$3,270,930 for the NYS fiscal year 2022-2023 with an additional \$915,870 in the PAVE NY program, an additional \$595,995 for the EWR program, and an additional \$610,580 for the POP program for a total of \$5,393,375; and

WHEREAS, the county originally budgeted \$3,200,000 for 2022; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2022 D County Roads Fund Budget as follows:

D51112 Road Construction

(Appropriations)

\$2,193,375 to .52600 Highway Construction

D99990 – Other

(Revenues)

\$2,193,375 to .43501 Consolidated Highway Aid

Budgeted: yes \_\_\_ no X Proposed Cost: \$2,193,375 Reimbursed Amount \$2,193,375 County Cost \$ 0.00

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: June 8, 2022

Committee Chair: Lynn Chatfield  
Department Head: Kevin Rooney

**AUTHORIZATION TO COMMIT TO FUTURE MONITORING AND MAINTENANCE OF THE CRESCENT BEACH REDI PROJECT**

WHEREAS, Wayne County submitted the Crescent Beach project to the REDI Commission for funding consideration; and

WHEREAS, the Crescent Beach project was selected by the REDI Commission, identified as project WA.19, and assigned \$14.6M in funding; and

WHEREAS, Wayne County, as the project applicant, is currently working to secure local, state, and federal permits to proceed with grant disbursement and project construction; and

WHEREAS, the Wayne County Board of Supervisors is familiar with the requirements of the proposed Monitoring and Maintenance Plan and is prepared to assume responsibility for the long-term management needs of the Crescent Beach project elements as required as a part of the Department of the Army permit No. 2020-00204 ; and

WHEREAS, the finances for the future maintenance and monitoring needs will come from the Wayne County operating budget year-to-year, depending on the extent of maintenance needed, and are anticipated to be supplemented by grant funding; and

WHEREAS, Wayne County has already applied to the National Wildlife Federation for a \$250K grant to cover the Monitoring and Maintenance needs, but anticipates continuing to identify potential future grant opportunities; now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors is fully committed to undertaking the corrective action(s) necessary to remedy or repair issues related to or resulting from the Crescent Beach REDI project, and understands that conversations with the local, state, and federal involved permitting agencies will be needed to identify suitable courses of action; and be it further

RESOLVED, that Wayne County will remain the entity responsible for overseeing the completion of the Monitoring and Maintenance Plan components and addressing additional long-term management needs; and be it further

RESOLVED, that Wayne County plans to perform the long-term monitoring and minor maintenance work with County forces, but may be required and to hire outside firms or contractors for additional expertise and assistance; and be it further

RESOLVED, that Wayne County will continue to pursue grant funding for the long-term management of the Crescent Beach project, but will use County capital funds, as needed, to provide financial support to long-term project needs and corrective action(s).

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: June 8, 2022

Committee Chair: Lynn Chatfield  
Department Head: Kevin Rooney

**AUTHORIZATION TO ABOLISH AN AUTOMOTIVE MECHANIC HELPER POSITION AND CREATE AN AUTOMOTIVE MECHANIC POSITION IN THE HIGHWAY DEPARTMENT**

WHEREAS, the Highway department has three Automotive Mechanic positions and one Automotive Mechanic Helper position, and

WHEREAS, the Automotive Mechanic Helper position was created in 2017 to offer a position to an individual that would perform light duty repairs and train under the other Automotive mechanics, and

WHEREAS, the person who is currently in the Automotive Mechanics Helper position has gained considerable knowledge and can perform the same tasks as the other Automotive mechanics with no supervision, and

WHEREAS, the position duties have been reviewed by the HR Director and current duties performed fall in line with the duties of an Automotive Mechanic, now, therefore be it

RESOLVED, that the Superintendent of Public Works is authorized to abolish the full-time Automotive Mechanic Helper position (pay-grade 19) and create a full –time Automotive Mechanic position (pay- grade 25), and be it further

RESOLVED, that the Treasurer is authorized to make the following adjustments to the 2022 budget:

**DM5030 Highway Administration**

(Appropriations)

\$24,513 from 51246 Automotive Mechanics Helper

\$24,513 to 51298 Automotive Mechanic

Budgeted: yes \_\_\_ no X 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: June 8<sup>th</sup> 2022

Committee Chair: Lynn Chatfield  
Department Head: Kevin Rooney

**AUTHORIZATION TO ESTABLISH HALL OF JUSTICE HVAC SYSTEM REPLACEMENT PROJECT AND APPROVE CONTRACT.**

WHEREAS, the ARPA Committee has approved funding for the Wayne County Hall of Justice HVAC Replacement project; and

WHEREAS, each ARPA project must be created and approved by board resolution; and

WHEREAS, the ARPA committee has approved \$897,198 of ARPA funding toward this project; and

WHEREAS, resolution 615-21 authorized entering into a project development agreement with Trane U.S. Inc; and

WHEREAS, Trane U.S. Inc has now designed the project and has provided the County with a total turn-key guaranteed project cost of \$1,494,295; and

WHEREAS, Trane U.S. Inc can provide these services through US Communities Municipal Cooperative Purchasing Program under Contract # 15-JLP-023 to replacement HVAC system to improve comfort, control, performance, system reliability and indoor air quality at the Wayne County's Hall of Justice; and

WHEREAS, due to the scope of work the contractors may be required to utilize subcontractor to fulfill his/her responsibility under the contract; now, therefor be it

RESOLVED, that the Wayne County Hall of Justice HVAC Replacement project is hereby created with ARPA funding of \$897,198.00; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign an agreement with Trane U.S. Inc for HVAC system Replacement at the Hall of Justice located at 54 Broad Street, Lyons, NY, subject to the approval of the County Attorney as to form and content for a total project cost of \$1,494,295 and be it further

RESOLVED, that the County Treasurer is authorized to transfer \$897,198 from ARPA Assigned Fund Balance and \$597,097 from the General Fund Unassigned Fund Balance for the remaining project cost, and be it further

RESOLVED: that the Wayne County Board of Supervisors authorizes the use of subcontractors if needed on this project; and be it further;

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

**A9950 Transfer to Capital Fund Projects**

(Appropriations)

\$1,494,295 to 52774 HOJ Building Renovation Cap Proj (Hall of Justice HVAC Replacement)

**H4902 ARPA**

(Revenues)

\$1,494,295 to 45031 HOJ Interfund Transfer (Hall of Justice HVAC Replacement)

(Appropriations)

\$1,494,295 to 52000 HOJ Equipment & Capital Outlay (Hall of Justice HVAC Replacement)

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: June 8, 2022

Committee Chair: Lynn Chatfield  
Department Head: Kevin Rooney

**AUTHORIZATION TO ESTABLISH B. FORMAN HOUSE ROOF REPLACEMENT PROJECT**

WHEREAS, the ARPA Committee has approved funding for the replacement of the B. Forman House roof; and  
WHEREAS, each ARPA project must be setup and approved by board resolution; and  
WHEREAS, the Deputy Superintendent of Public Works has requested \$ 75,000.00 for this roof replacement project;  
now, therefore, be it

RESOLVED, that the B. Forman House Roof Replacement project is hereby created with ARPA funding of \$75,000;  
and be if further

RESOLVED, the Deputy Superintendent of Public Works is authorized to advertised for bids for said project; and be if  
further

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

**A1011 ARPA Fund**

(Appropriations)

\$75,000 from .54000 Contractual Expenses

**A9950 Transfer to Capital Fund Projects**

(Appropriations)

\$ 75,000 to 52774 Building Renovation Cap Proj Prk05 (B Forman House Roof Replacement)

**H4902 ARPA**

(Revenues)

\$75,000.00 to .45031 Prk05 (B Forman House Roof Replacement) Interfund Transfer

(Appropriations)

\$75,000.00 to .52000 Prk05 (B Forman House Roof Replacement) Equipment & Capital Outlay

Budgeted: yes  no  Proposed Cost: \_\_\_\_\_ Reimbursed Amount \_\_\_\_\_ County cost \$75,000

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: June 8, 2022

Committee Chair: Lynn Chatfield  
Department Head: Kevin Rooney

**AUTHORIZATION TO SIGN AGREEMENT WITH AAC CONTRACTING, LLC FOR THE COURTHOUSE ELEVATOR ABATEMENT**

WHEREAS, resolution 618-21 established the courthouse elevator modernization project; and  
WHEREAS, during initial design it was discovered that there was four (4) abandoned pipes located inside the elevator shaft; and  
WHEREAS, these pipes need to be removed to allow the project to move forward; and  
WHEREAS, the pipes have a small amount of asbestos that need to abated prior to their removal; and  
WHEREAS, The Deputy Superintendent issued a request for quotes and received the following three responses:

AAC Contracting, LLC: \$ 5,075.00

Rock Environmental Inc: \$ 8,314.00

Flower City Monitor Services: \$ 23,000.00

;and  
WHEREAS, AAC Contracting, LLC has performed acceptable work at the County in the past; now therefore, be it  
RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the contract with AAC Contracting, LLC on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content for abatement and removal of abandon piping in the Courthouse elevator shaft for a cost not to exceed \$5,075.00.

Budgeted: yes  no  Proposed Cost: \$5,075 Reimbursed Amount \_\_\_\_\_ County cost \$5,075

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: 6/8/22

Committee Chair: Chatfield

**AUTHORIZATION TO AMEND RESOLUTION 270-22 TO SET DATE FOR PUBLIC HEARING TO AMEND LOCAL LAW NO. 5-85**

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on July 19, 2022 at 9:05 a.m. in the Supervisors Chambers in the County Court House, Lyons, New York on the proposed local law:

**COUNTY OF WAYNE – STATE OF NEW YORK**

A local law amending Local Law 5-1985, as amended by Local Law 2-1988, as amended by 4-1993, as amended by 4-2002 and Local Law 5-2003, in relation to regulating parking in the reserved parking area adjacent to the Pearl Street Office Building.

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

Section 1. The following words, when used in this local law shall have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicated otherwise:

- (a) "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway.
- (b) "Person" means every natural person, corporation, association, or organization.
- (c) "Park" means the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
- (d) "County Office Building" means the Wayne County Office Building located at 9 Pearl Street in Lyons, New York.
- (e) "Sheriff" means the Sheriff of the County of Wayne.
- (f) "Handicapped Person" means any person operating a vehicle displaying a special municipal parking permit or a vehicle registered in accordance with Section 404-a of the Vehicle and Traffic Law and being used for the transportation of a handicapped person.
- (g) "Reserved Parking Area" means the county-owned land immediately south of and adjacent to the County Office Building.
- (h) "Owner" means any person, corporation, partnership, firm, agency, association, lessor, or organization who at the time of the issuance of a notice of violation:
  - (1) is the beneficial or equitable owner of such vehicle; or
  - (2) has title to such vehicle; or
  - (3) is the registrant or co-registrant of such vehicle which is registered with the Department of Motor Vehicles of this State of any other state, territory, district, providence, nation of other judiciary; of
  - (4) uses such vehicle in its vehicle renting and/or leasing business; or
  - (5) is an owner of such vehicle as defined by Section 128 of the Vehicle and Traffic Law or subdivision (a) of Section 2102 of the Vehicle and Traffic Law.
- (i) "Abandoned Vehicle" means any vehicle deemed to be an abandoned vehicle pursuant to the provisions of Section 1224 of the Vehicle & Traffic Law.
- (j) "Vehicle & Traffic Law" means the Vehicle & Traffic Law of the State of New York.

Section 2. The county-owned land immediately adjacent to the County Office Building is hereby designed as a reserved parking area for the following designated persons:

<u>Designated Person</u>	<u>Number of Parking Spaces</u>
County Clerk	1
Deputy County Clerk(s)	2
Handicapped Parking	1
Tourism Director	1
Tourism Vehicle	1
EDP Director	1
EDP Deputy	1
EDP Vehicle	1
Employee Parking	18

Section 3.

- (a) No person shall park a vehicle in the reserved parking area except those persons for whom parking spaces are reserved as designated in Section 2 of the local law.
- (b) No person, for whom a parking space is reserved, as designated in Section 2 of this local law, shall park a vehicle in the reserved parking area in any space other than a parking space which is marked "reserved" for such person.
- (c) No undesignated vehicle shall be parked in the reserved parking area between the hours of 12:00 midnight and 6:00 a.m.
- (d) No vehicle shall be parked in the reserved parking areas other than between the lines marking the parking spaces provided in such areas.

Section 4. It shall be the duty of the Sheriff to enforce the provisions of this local law.

Section 5. Whenever any vehicle is (a) parked in the reserved parking areas during snowstorms, floods, fires, or other public emergencies, or (b) found unattended in the reserved parking areas where it constitutes an obstruction to traffic, or (c) found abandoned in the reserved parking areas, the Sheriff is hereby authorized to provide for the removal of such vehicle, be means of towing or otherwise, to a suitable place of storage, and such removal and storage shall be at the sole risk and expense of the owner of such vehicle. Any vehicle so removed and stored shall be in the custody of the Sheriff and before the owner or person in charge of such vehicle shall be permitted to remove it from such custody, he shall furnish evidence of his identity and ownership or right to possession, pay the cost for such removal and storage, and sign a receipt for such vehicle.

Section 6. The Sheriff is hereby given the power and authority to engage, hire and contract with any person to remove, transport, and store vehicles for the purpose of this local law; provided, however, that the terms and conditions of any such engagement, hiring, or contacting shall be subject to the approval of the County Attorney.

Section 7.

(a) Whenever any vehicle is found parked in violation of this local law, the Sheriff shall serve a written notice of violation notifying the person charged that such vehicle has been parked in violation of the provisions of this local law and directing such person to appear in Justice Court of the Town of Lyons at a designated time to answer for such violation in accordance with this local law. The notice of violation shall be served personally upon the operator of a vehicle who is present at the time of service, and his name, together with the plate designation and the plate type as shown by the registration plates of said vehicle and the expiration date: the make or model, and the body type of the same vehicle, shall be inserted therein. The notice of violation shall be served upon the owner of the vehicle if the operator is not present, by affixing such notice to said vehicle in a conspicuous place. Whenever such notice is so affixed, in lieu of inserting the name of the person charged with the violation in the space provided for the identification of said person, the words 'owner of the vehicle bearing license' may be inserted to the following by the plate designation and plate type of said vehicle. Service of the notice of violation or a duplicate thereof, by affixation as herein provided shall have the same force and effect as through the same was personally served with the name of the person charged with the violation inserted therein.

(b) For the purposes of this local law an operator of a vehicle who is not the owner thereof, but who uses or operates such vehicle with the permission of the owner, express or implied, shall be deemed to the agent of such owner to receive notices of volition, whether personally served on such operator or served by affix in the manner aforesaid, and service made in either manner as herein provided shall also be deemed to be lawful service upon such owner.

Section 8. A violation of any of the provisions of this local law shall constitute an offense, and a person guilty of such offense may be punished by a fine not exceeding One Hundred Dollars.

Section 9. If any section, part of a section, sentence, clause, or phrase of this local law shall be held unconstitutional or invalid, the remaining provisions thereof shall nevertheless remain in full force and effect.

Section 10. This local law shall take effect immediately upon the date it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

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: \_\_\_\_\_