

5th Day  
Tuesday, April 18, 2023

The regular meeting of the Wayne County Board of Supervisors was held in their chambers in the Court House, Chairman Eygnor presiding. County Administrator Richard House and County Attorney Dan Connors were also in attendance.

The Pledge of Allegiance was led by Supervisor Bender, followed by Chairman Eygnor giving the invocation.

Upon roll call, all Supervisors were present for this morning's session.

#### **APPROVAL OF MINUTES**

Mr. Kolczynski moved, seconded by Mr. Groat, to waive the reading of the minutes of the March 21, 2023 meeting. Upon roll call, carried.

#### **COMMUNICATIONS**

The County Auditor's Accounts Payable Report for monthly utilities, miscellaneous payments including the March 31, 2023 warrants for accounts payable, totaling \$8,225,573.06 was received and filed.

The Sheriff's Office Cash Receipts Report dated January 31, 2023 totaling \$12,891.36 was received and filed.

A letter was received from Todd Campbell, Chairman, Ontario County Board of Supervisors congratulating Wayne County on the Bicentennial.

Cornell Cooperative Extension Director Maggie McHugh thanked the Board for the successful Supervisor for a Day program last month.

Chairman Eygnor appointed the following to review the organizational structure of the County's Emergency Response Services: Supervisors Verno and Groat, County Administrator Rick House, HR Director Chris Kalinski, Sheriff Milby, EMS Coordinator Jim Lee, Emergency Management Director George Bastedo and Fire Coordinator Jeremiah Shufelt.

Mr. Brady motioned to waive the reading of the April, 2023 Communications. Seconded by Mr. Lasher. Upon roll call, carried.

#### **ANNUAL REPORTS**

Chairman Eygnor noted that the following County Departments submitted their 2022 Annual Reports to the appropriate standing committees, as required.

Aging & Youth  
Mental Health  
Public Health

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Emergency Management  
Sheriff's Office  
Board of Elections  
Geographic Information System (GIS)  
Information Technology  
Treasurer  
Purchasing

Mr. Chatfield moved, seconded by Mr. Lasher that the 2022 Annual Reports be received and filed. Motion carried.

**PUBLIC HEARINGS**

Public Hearing for Annual Review Period for Inclusion of Land in a Certified Agricultural District.

Prior to the reading of today's scheduled public hearing, Chairman Eynor read the rules and procedures that are followed for conducting such hearings for this Board.

The Clerk read the following notice of public hearing:

**WAYNE COUNTY BOARD OF SUPERVISORS  
NOTICE OF PUBLIC HEARING  
REGARDING THE ANNUAL REVIEW PERIOD FOR INCLUSION OF LAND  
IN A CERTIFIED AGRICULTURAL DISTRICT**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Supervisors of Wayne County, State of New York, on Tuesday, April 18, 2023 at 9:05 a.m. in the Supervisors Chambers, Wayne County Courthouse, 26 Church Street, Lyons, New York, regarding the annual review period for inclusion of land in a certified agricultural district.

This hearing will be held to consider the recommendations of the Wayne County Agricultural Development Board and any proposed modifications to the existing Agricultural District No. 1.

The Wayne County Agricultural Development Board reviewed and recommended approval of this request for inclusion of the following farmland property in the existing Agricultural District No. 1, as proposed by the owner:

Tax ID Num	Municipality	Name	Acres
66119-09-128550	Town of Williamson	John & Dorothy Howland Jr.	12.09

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The Ag Development Board considers these parcels to be predominately viable agricultural land. Therefore, this proposed action will result in a modification to Agricultural District No. 1.

A tax map illustrating the proposed district modifications and recommendations of the Wayne County Agricultural Development Board has been available for examination during regular business hours, in the Wayne County Department of Economic Development & Planning, Second Floor, 9 Pearl St., Lyons, N.Y. 14489.

At 9:09 a.m., Chairman Eynor opened the floor for the public, stating that people interested in making comment regarding the Annual Review Period for Inclusion of Land in a Certified Agricultural District, 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 Eynor asked for a motion to close the hearing.

Mr. Lasher moved, seconded by Mr. Chatfield, that the hearing be closed at 9:10 a.m. Upon roll call, carried.

The Clerk read the following notice for the second public hearing:

COUNTY OF WAYNE  
NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW  
NOTICE IS HEREBY GIVEN, that pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on Tuesday April 18, 2023 at 9:10 a.m. in the Supervisor's Chambers in the Wayne County Courthouse, Lyons, New York, on the following proposed local law

**COUNTY OF WAYNE - STATE OF NEW YORK**

A local law to allow enrolled Volunteer Firefighters and Volunteer Ambulance Workers to be eligible for a Real Property Tax Exemption under Real Property Tax Law (RPTL) §466-a.

BE IT ENACTED, BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, AS FOLLOWS:

**SECTION 1. STATUTORY AUTHORITY.**

The New York State Legislature has, heretofore, amended the Real Property Tax Law (RPTL) to authorize municipalities to permit enrolled volunteer firefighters and volunteer ambulance

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workers to be eligible for a real property tax exemption as is more particularly set forth in RPTL § 466-a which State statute was made effective as of December 9, 2022.

**SECTION 2. LEGISLATIVE INTENT AND PURPOSE.**

The said RPTL § 466-a, among other things, allows for volunteers with two (2) years of qualifying service to apply for the tax exemption which will increase the number of eligible volunteers over existing law. The Board of Supervisors recognizes the role of the volunteer firefighters and ambulance workers in securing the safety and well-being of our communities. The Board of Supervisors hereby finds that it is in the best social and economic interest of the County of Wayne to encourage volunteerism for said purposes. To that end, by providing the following exemption, and by making it available to a larger pool of volunteers, it is the intent to encourage volunteerism for our various fire and ambulance companies.

**SECTION 3. EXEMPTION GRANTED.**

A. Real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse residing in Wayne County shall be exempt from taxation to the extent of ten percent (10%) of the assessed value of such property for County purposes, exclusive of special assessments.

B. Application for such exemption shall be filed with the Assessor having jurisdiction of the real property on or before the taxable status date on a form prescribed by the Commissioner of the New York State Department of Taxation and Finance Office of Real Property Tax Services.

C. Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service residing in Wayne County unless he or she meets each of the five (5) criteria set forth below:

1. The applicant resides in the town or village which is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
2. The property is the primary residence of the applicant;
3. The property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section;
4. The applicant has served as an enrolled member with such volunteer fire company or fire department or incorporated voluntary ambulance service for a minimum of two (2) years; and

5. The incorporated volunteer fire company or fire department and incorporated voluntary ambulance service has submitted to the Wayne County Director of Emergency Management a complete list of enrolled members, with their respective dates of service for such incorporated voluntary fire company or fire department or incorporated voluntary ambulance service. The Wayne County Director of Emergency Management shall then review all potential candidates and certify those that meet the necessary criteria to be eligible for this exemption.

D. Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty (20) years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by RPTL § 466-a for the remainder of his or her life as long as his or her primary residence is located within Wayne County.

**E. Un-remarried spouses of volunteer firefighters or volunteer ambulance workers killed in the line of duty:** An exemption by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service, to such deceased enrolled member's un-remarried spouse may be continued or re-instated if such member is killed in the line of duty; provided, however, that:

1. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who was killed in the line of duty; and
2. Such deceased volunteer had been an enrolled member for at least five (5) years; and
3. Such deceased volunteer had been receiving the exemption prior to his or her death.

**F. Un-remarried spouses of deceased volunteer firefighters or volunteer ambulance workers:** An exemption by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service may be continued or re-instated to such deceased enrolled member's un-remarried spouse; provided, however, that:

1. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of a deceased enrolled member of

- such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service; and
2. Such deceased volunteer had been an enrolled member for at least twenty (20) years; and
  3. Such deceased volunteer and un-remarried spouse had been receiving the exemption for such property prior to the death of such volunteer.

**SECTION 4. EXISTING EXEMPTIONS PRESERVED.**

No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of New York Real Property Tax Law Article 4 as of December 9, 2022 shall suffer any diminution of such benefit because of the provisions of RPTL § 466-a.

**SECTION 5. EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York, and shall apply to taxable status dates occurring on or after January 1, 2024.

At 9:12 a.m., Chairman Eynor opened the floor for the public, stating that people interested in making comment regarding the proposed local law to allow enrolled Volunteer Firefighters and Volunteer Ambulance Workers to be eligible for a Real Property Tax Exemption under Real Property Tax Law (RPTL) §466-a, 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 Eynor asked for a motion to close the hearing.

Mr. Chatfield moved, seconded by Mr. Lasher, that the hearing be closed at 9:13 a.m. Upon roll call, carried.

**PROCLAMATIONS**

- National Crime Victims Week, April 23<sup>rd</sup> - 29<sup>th</sup>, 2023 was read by Debbie Coons, Victim Witness Coordinator of the District Attorney's Office.
- Sexual Assault Awareness & Prevention Month and Child Abuse Prevention Month was read by Amy Pauley of the Survivor Advocacy Center.
- Supervisor Robusto recognized National Nurses Week, National Nursing Home Week and Mental Health Awareness Month.

**PRESENTATION**

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Gene Bavis and Rosa Fox updated the Board on the Bicentennial. Mrs. Fox noted the success of the kick-off of Founder's Day on April 11<sup>th</sup>, the celebration in front of the Court House and the luncheon that followed were attended by so many. She went on to thank the County's Public Works Department for their efforts to make the day a success—from decorating the Court House, to the installation of the Bicentennial Marker and all the set-up staff assisted with. She thanked the IT Department for the assistance they provided on the 11<sup>th</sup> to make sure appropriate internet was in place to allow for streaming the event. Mrs. Fox thanked the Sheriff's Office and the businesses in downtown Lyons for their support that day. She gave special praise to Deb Hall and Christine Worth for their efforts in attending to so many tasks that needed to be done that day.

Mr. Bavis noted the next big event in celebration of the County's Bicentennial is the Gala on May 13<sup>th</sup>. All members of the Board were provided with a brochure that listed numerous activities taking place throughout the year and included the celebration of the County's 200 year. Supervisors received a Bicentennial Quilt brochure that depicted and told a brief story about all the photos included on the quilt.

To see additional information regarding the Bicentennial, or streaming the April 11<sup>th</sup> event go to [wayencounty200.com](http://wayencounty200.com)

#### **SCHEDULED BUSINESS**

#### **RESOLUTION 201-23: AUTHORIZATION TO SIGN AGREEMENT WITH CHILD CARING INSTITUTION NEW DIRECTIONS YOUTH AND FAMILY SERVICES**

Mr. Donalty presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) needs to place children in child caring institutions, at times, to promote their health and safety; and

WHEREAS, payment for these services is not determined by the county but is dictated by New York State, and

WHEREAS, it has been the practice of DSS to have in place contracts with various child caring institutions to facilitate a child's placement on a timely basis, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement with New Directions Youth and Family Services for the time frame of 3/15/2023-6/30/2024 for the purchase of foster care for children, subject to the County Attorney's approval as to form and content for an amount not to exceed \$730,000.00 annually.

Mr. Mettler moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, adopted.

**RESOLUTION 202-23: AUTHORIZATION TO APPOINT MEMBER TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD**

Mr. Donalty presented the following:

WHEREAS, the Wayne County Board of Supervisors has authorized the creation of the Finger Lakes Workforce Development Board for the Counties of Wayne, Yates, Seneca, and Ontario in compliance with the Workforce Development Innovation and Opportunity Act of 2014 (replacing the 1998 WIA Act); and

WHEREAS, the Workforce Investment Board members must be appointed by the respective Legislative Boards; and

WHEREAS, Rick Plympton is being put forward for renewal of his membership to the Board for the period July 1, 2021 through June 30, 2024; now therefore be it

RESOLVED, that the appointment of Rick Plympton to the Workforce Investment Board is approved by the Legislative Board; and that certified copies of this resolution be sent to Seneca, Yates, and Ontario Counties, and to the Workforce Investment Board.

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

**RESOLUTION 203-23: AUTHORIZATION TO AMEND THE 2023 BUDGET FOR THE REMAINING BALANCE OF THE ELC SCHOOLS REOPENING FUNDING**

Mr. Robusto presented the following:

WHEREAS, that in 2021 the Board of Supervisors adopted Resolution Nos. 351-21 and 401-21 to authorize an agreement and accept funds from Health Research, Inc. (HRI) to provide funding for reopening schools with expanded screening testing capacity to maintain in-person learning within Wayne County for the 2021-2022 school year; and

WHEREAS, Resolutions 25-22 and 402-22 communicated the total awarded funding of Two Million Dollars and updated the ending date of the grant to July 31, 2023, for use into the 2022-2023 school year;

WHEREAS, that \$194,078 of the funding was unspent at the end of 2022 and is available for 2023 expenses; and

WHEREAS, WCPH did not budget for this funding in the 2023 budget due to the original grant expiration date and submission of the 2023 budget had already occurred; and

WHEREAS, WCPH must continue to provide support and funding to the school districts to meet work plan objectives through July 31, 2023, along with expanding assistance to daycare facilities; and

WHEREAS, WCPH seeks to utilize the remaining funds to support school districts and other eligible facilities for the remainder of the funding period; now, therefore be it

RESOLVED, the Wayne County Treasurer is hereby authorized to amend 2023 County Budget as follows:



**A4011 Public Health Services**

(Revenues)

\$194,078 to 43289 ELC State Aid

(Appropriations)

\$194,078 to 54650 ELC Communicable Disease

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

**RESOLUTION 204-23: AUTHORIZING RECRUITMENT, RETENTION, AND APPRECIATION MEASURES FOR THE WAYNE COUNTY NURSING HOME**

Mr. Robusto presented the following:

WHEREAS, The Wayne County Nursing Home (WCNH) would like to amend its 2023 budget to include funding for the recruitment, retention, and appreciation set forth in this Resolution;

WHEREAS, it is undisputed that a critical shortage in the workforce, particularly in nursing homes, is occurring nationwide;

WHEREAS, WCNH, like many nursing homes, has seen unprecedented attrition which, if not managed, could impact the Counties ability to provide much needed services to our residents;

WHEREAS, there is a significant public purpose for WCNH to ensure that it continues to attract and to retain employees who exceed expectations and to boost job satisfaction and productivity in order to safely and effectively serve our residents;

WHEREAS, WCNH would like to host three employee recognition barbeques in 2023 in celebration of Nurses Week, Nursing Home Week, and CNA Week; and

WHEREAS, WCNH will maintain sufficient controls to ensure that staff receive a benefit from the recruitment, retention, and appreciation within all IRS opinions and guidelines; now, therefore be it

RESOLVED, that the Board of Supervisors of Wayne County supports the recruitment, retention, and appreciation measures set forth in this Resolution, including, but not limited to: (a) attracting highly qualified nursing home staff; (b) retaining current WCNH staff, (c) incentivizing and encouraging current WCNH staff to refer potential employees to WCNH; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized to make the following budget amendment:

**E1990 Contingent Fund**

(Appropriations)

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\$7,500 from 54000 Contractual Expense

**E6000 NH Combined**

(Appropriations)

\$7,500 to 54887 Misc.

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

**RESOLUTION 205-23: AUTHORIZATION TO RENEW AGREEMENT WITH SIGHTRITE EYE CARE SERVICES FOR THE NURSING HOME**

Mr. Robusto presented the following:

WHEREAS, the current agreement with SightRite Eye Care Services for the provision of optometry services ends July 13, 2023; and

WHEREAS, that the Wayne County Nursing Home recommends renewing said contract; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to sign the contract with SightRite Eye Care Services effective July 14, 2023 through December 31, 2024 with the option to renew for two (2) additional one (1) year periods and subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 206-23: AUTHORIZATION TO CONTRACT WITH SPECIAL CARE SYSTEMS FOR ANNUAL SERVICE AGREEMENT FOR THE NURSE CALL BELL SYSTEM**

Mr. Robusto presented the following:

WHEREAS, the Wayne County Nursing Home (WCNH) requires routine inspections and preventative maintenance for its nurse call system along with on-demand repairs and services when necessary; and

WHEREAS, Special Care Systems (SCS) Certified Technicians are factory trained to perform work on the R-Care Wireless Call System at WCNH; and

WHEREAS, the manufacturer's warranty on the call bell system at WCNH expires on May 1, 2023; and

WHEREAS, SCS offers a service agreement for the call bell system, which includes:

- annual testing, inspection, and recertification of the system
- four (4) hours of system training
- 24/7 phone & remote support

- 20% discount on parts and equipment
- Discounted service rates
  - Service call during standard business hours - weekdays 8am-5pm - \$105 per hour
  - Service call outside standard business hours - weekdays 5pm-8am, Saturdays, \$157.50 per hour
  - Service calls on Sundays or holidays - \$210 per hour

and;

WHEREAS, the term of the service agreement is for one (1) year, commencing May 1, 2023 to April 30, 2024, at a cost of \$8,255, plus labor at the specified discounted hourly rates and parts and equipment for work above and beyond the scope of the maintenance agreement; and

WHEREAS, future rates will be adjusted based on inflation percentages and/or union wage increases; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to sign the agreement with Special Care Systems for the R-Care Wireless Call System, on behalf of the Wayne County Nursing Home, effective April 1, 2023 to April 1, 2024, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 207-23: AUTHORIZATION TO ENTER INTO AGREEMENT WITH NEWARK WAYNE COMMUNITY HOSPITAL FOR CLINICAL LABORATORY SERVICES**

Mr. Robusto presented the following:

WHEREAS, the contract between the County of Wayne and Newark Wayne Community Hospital, an affiliate of Rochester Regional Health Systems, for the provision of laboratory services expires June 30, 2023; and

WHEREAS, the Wayne County Nursing Home recommends to renew the contract with Newark Wayne Community Hospital for the provision of laboratory services from July 1, 2023 through June 30, 2026; and

WHEREAS, the Nursing Home shall pay Contractor for clinical laboratory testing services performed for Nursing Home residents in accordance to the terms and conditions as set forth in the Medicare published fee schedule; now, therefore be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with Newark Wayne Community Hospital, an affiliate of Rochester Regional Health Systems, for the provision of laboratory services from July 1, 2023 through June 30, 2026, subject to the approval of the County Attorney as to form and content.

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

**RESOLUTION 208-23: AUTHORIZATION TO TERMINATE AGREEMENT WITH OMNICOR BIOMEDICAL SERVICES AND COMPENSATE VENDOR IN FULL FOR SERVICES RENDERED**

Mr. Robusto presented the following:

WHEREAS, Resolution 186-21 established an agreement between the Wayne County Nursing Home (WCNH) and Omnicor Biomedical Services, Inc. (Omnicor) for the provision of preventative maintenance services and medical equipment repair services to ensure resident safety; and

WHEREAS, Omnicor was awarded the agreement through a request for quotes solicitation process and was determined as the lowest quote submission; and

WHEREAS, The intention of the original solicitation was to be all-inclusive of fees and expenses, however due to miscommunications between both parties, the resulting contract lacked information, resulting in additional fees being charged to WCNH that were not included in the original contract agreement; and

WHEREAS, Upon discussion between the vendor and WCNH it was determined that a contract amendment would not be sufficient to correct the issue, leading WCNH to be desirous to terminate the agreement with Omnicor for preventative maintenance and medical equipment repair services and issue a 60 day notice effective April 25, 2023; and

WHEREAS, In conjunction with the Purchasing Department, WCNH intends to re-issue the Request for Quotes for the provisions of services; and

WHEREAS, There is an outstanding balance due to Omnicor for 2022 in the amount of \$499.42 for services rendered where fees did not align with the quote or agreement and would not pass through the audit department; and

WHEREAS, Omnicor may have additional billing for 2023 with similar audit issues that will require payment up until and upon dissolution of the current agreement; now, therefore be it

RESOLVED, That the Chairman of the Wayne County Board of Supervisors is authorized to terminate the agreement with Omnicor Biomedical Services for the provision of preventive maintenance and medical equipment repair and to issue a sixty-day termination notice effective April 25, 2023; and, be it further

RESOLVED, That the Wayne County Nursing Home is authorized to remit payment in full to Omnicor Biomedical Services, Inc. for services rendered and invoiced that have not met audit requirements from 2022 through the end of the contract period.

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

**RESOLUTION 209-23: AUTHORIZING ANNUAL HISTORICAL LICENSE AND AGREEMENT WITH P&NP COMPUTER SERVICES, INC. AND WAYNE COUNTY NURSING HOME**

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Mr. Robusto presented the following:

WHEREAS, the current agreement with P&NP Computer Services Inc., the provider of Wayne County Nursing Home's former billing software, expires June 30, 2023; and

WHEREAS, the Wayne County Nursing Home by law is required to have access to, and to retain the clinical records contained within that billing software, for a period of at least six years from date of discharge or death; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute an agreement on behalf of the Wayne County Nursing Home, with P&NP Computer Services, Inc. for the Annual Historical License and Agreement effective July 1, 2023 to June 30, 2024 subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 210-23: AUTHORIZATION TO CREATE AND CLASSIFY JOB TITLES FOR THE WAYNE COUNTY DEPARTMENT OF MENTAL HEALTH AND AMEND THE 2023 COUNTY BUDGET**

Mr. Robusto presented the following:

WHEREAS, Part Y of Chapter 57 of the NYS Laws of 2018 required the State Education Department to issue formal guidance to service providers authorized to operate under certain executive agencies (including agencies licensed by OMH & OASAS) to provide services within the scopes of practice of social work, psychology, and mental health practitioners; and

WHEREAS, effective June 24, 2022, an individual must now be licensed or authorized (e.g., limited permit holder or student intern) under the Education Law to practice psychology, social work and mental health practice, as defined in Articles 153, 154 and 163 of the Education Law, respectively, to be employed in a program or service that is defined above; and

WHEREAS, these changes have necessitated that Wayne County revise and update the current job descriptions and qualifications for the long standing job titles of Staff Social Worker and Community Mental Health Professional, which historically have been the titles used in the Mental Health Department (MHD) for individuals functioning as clinical social workers and mental health counselors; and

WHEREAS, there are 3 unique licensed professional titles which are hired as psychotherapists who practice in the MHD's mental health and addiction clinics, these are: (a.) Licensed Mental Health Counselor (LMHC); (b.) Licensed Master Social Worker (LMSW); and (c.) Licensed Clinical Social Worker; and

WHEREAS, in order to comply with the changes in the law, and to take into account the distinct differences in the scope of practice for each profession as defined in the law, it is necessary to abolish the obsolete and general titles of Staff Social Worker and Community

Mental Health Professional, and to transfer personnel employed under those titles, based on their licensure, to one of the more appropriate job titles of Mental Health Clinician (for the LMHC & LMSW professionals), or the Senior Mental Health Clinician (for the LCSW's), given the LCSW has more advanced scope of practice privileges, requires greater practice experience, and has additional insurance billing privileges that the other professions do not; and

WHEREAS, the Mental Health Director has worked closely with the Human Resources Director on developing these new titles, and the Human Resources Director has determined and recommended the appropriate pay grade for each title to be assigned to, and the proposed job titles and accompanying specifications have developed, reviewed and approved by the County Administrator, the Human Resources Director, State Civil Service, and CSEA representative personnel, and the pay grades have been reviewed and recommended by the Board of Supervisors Pay Plan Committee; now therefore, be it

RESOLVED, that the following County Budget codes and job titles are hereby created, and classified within the applicable CSEA Agreement as shown, with such object codes and job titles to be added to the 2023 County Budget within A4300 Behavioral Health, effective April 28, 2023:

**A4300 BEHAVIORAL HEALTH:**

<b><u>OBJECT</u></b>	<b><u>TITLE (ACCT NAME)</u></b>	<b><u>CSEA UNIT</u></b>	<b><u>CSEA UNIT GRADE</u></b>
51957	Mental Health Clinician	General CSEA	GU 36
51958	Senior Mental Health Clinician	General CSEA	GU 37

and be it further

RESOLVED, effective April 28, 2023, that 7 Senior Mental Health Counselor full-time positions, 28 Mental Health Counselor full-time positions, and 1 Mental Health Counselor part-time position, be created; and be it further

RESOLVED, that effective April 28, 2023, all the current Mental Health Department County employees holding the job title of Staff Social Worker and/or Community Mental Health Professional shall be transferred based on their licensure to the appropriate corresponding job title: LMSW's & LMHC's to Mental Health Clinician and each placed in an equal or closest to their current corresponding pay step level, and LCSW's to Senior Mental Health Clinician and placed at the hiring pay level; and be it further

RESOLVED, that following the completion of the payroll entries for the payroll period ending April 27, 2023, the County Treasurer shall be authorized to make the following budget amendments and transfer funds in the 2023 budget as noted below:

- Transfer all remaining funds in A43001.51325 CMHP to A43001.51957 Mental Health Clinician;
  - Transfer all remaining funds in A43001.51323 Staff Social Worker PT to A43001.51957 Mental Health Clinician;
  - Transfer \$345,510 from A43001.51322 Staff Social Worker to A43001.51958 Senior Mental Health Clinician, and after that transfer is completed, transfer the remaining balance in A43001.51322 Staff Social Worker to A43001.51957 Mental Health Clinician; and be it further, RESOLVED, the job titles Staff Social Worker (26-FT & 1- PT) and Community Mental Health Professional (9-FT) are abolished effective on April 28, 2023.
- Mrs. Leonard moved the adoption of the resolution. Seconded by Mr. Johnson. Upon roll call, adopted.

**RESOLUTION 211-23: AUTHORIZATION TO ESTABLISH A CONTRACT BETWEEN THE WAYNE COUNTY MENTAL HEALTH DEPARTMENT AND THE WAYNE COUNTY VETERANS SERVICE AGENCY, AND AMEND THE 2023 COUNTY BUDGET**

Mr. Robusto presented the following:

WHEREAS, the Mental Health Department is in receipt of additional funding from the NYS Office of Mental Health totaling \$100,000, which is to be utilized for Veteran Peer Support Programs for veterans suffering from post-traumatic stress syndrome, related combat stress disorders, or having counseling needs, using individual and small group peer to peer counseling methods; and

WHEREAS, the Mental Health Department wishes to establish a contract with the Wayne County Veterans Service Department for the purposes of the provision of mental health related services within the work scope activities as noted in the previous paragraph, and for disbursement of New York State Office of Mental Health funding in the amount of \$100,000; now, therefore, be it

RESOLVED, that the Chairman of the Board is authorized to sign a contract between the Wayne County Veterans Service Department and the Wayne County Department of Mental Health in the amount not to exceed \$100,000 to establish a Veteran Peer Support Program for the provision of mental health related services to veterans of Wayne County for the contract period effective April 19, 2023 to December 31, 2023, and not to exceed the listed funding amount in accordance with the 2023 State funding award amount, and the contract being subject to the County Attorney's review as to form and content; and be it further

RESOLVED, the County Treasurer is authorized to amend the 2023 County Budget as follows:

**A4322 Community Providers**  
(Revenue)

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\$100,000 to 43584 Wayne County Veterans Service Agency  
(Appropriations)  
\$100,000 to 54693 Wayne County Veterans Service Agency

**A6510 Veteran Services**

(Revenue)  
\$100,000 to 43305 NYS Grants  
(Appropriations)  
\$100,000 to 54400 Contracted Services

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

**RESOLUTION 212-23: AUTHORIZATION TO AMEND THE MENTAL HEALTH DEPARTMENT 2023 BUDGET FOR NEW YORK STATE FORENSIC HOSPITALIZATION COSTS**

Mr. Robusto presented the following:

WHEREAS, there are certain situations and legal statutes and proceedings involving Criminal Courts, the County Mental Hygiene Department, and the Wayne County Sheriff's Office & Jail, that sometimes requires individuals who may be incarcerated in the Wayne County Jail, or who are not in custody and residing in the community, to be involuntarily hospitalized in a New York State Forensic Psychiatric Center; and

WHEREAS, some individuals who are in the custody of the Sheriff and incarcerated in the Wayne County Jail, or are not in custody and are residing in the community, though are involved in a Criminal Court proceeding under NYS Criminal Procedure Law Section 730 "Fitness to Proceed", which involves a psychiatric evaluation to determine if the defendant is an incapacitated person, or when the individual is in custody of the Sheriff and incarcerated in the Wayne County Jail and if a prisoner's state of mental health requires involuntary care and treatment, and the prisoner should be removed to a psychiatric hospital for treatment, NYS Correction Law Section 508 "Removal of Sick Prisoners From Jail" provides the legal means to do so; and

WHEREAS, when the defendant is found to be an incapacitated person under Criminal Procedure Law Section 730, the court may order the individual to be sent to a state forensic hospital/institution to undergo restorative treatment, or when an incarcerated person is in need of immediate psychiatric care and treatment and is hospitalized in a state forensic hospital, they may be removed from jail to do so under Correction Law Section 508; and

WHEREAS, the County Cost per day for a state forensic hospitalization generally runs in excess of \$1,100 per day, and the length of the hospitalization stay is unpredictable, though in some cases could last as long as a year or more; and



WHEREAS, currently there is one Wayne County Jail inmate that has been admitted into a state forensic hospitalization institution for restorative psychiatric care, and this inmate has been hospitalized beginning in 2022, and will likely remain hospitalized for a number of months into 2023; and

WHEREAS, due to the unpredictability of the annual need for funding of forensic hospitalization, and the high cost per case, per day for hospitalization, the County budgets a nominal amount annually in order to facilitate immediate hospitalization, then adjusts the budget as additional funding is needed; and

WHEREAS, the Director of Mental Health reports a need, based on current and anticipated costs, to increase the 2023 adopted appropriations by an additional \$200,000 to fund current hospitalizations costs and additionally anticipated costs through June 2023; now, therefore be it

RESOLVED, that the County Treasurer is authorized to transfer \$200,000 from the Unassigned General Fund Balance, and make the following amendment to the 2023 County Budget:

**A4335 OMH Forensic Hospitalization**

(Appropriations)

\$200,000 to 54571 CPL Costs

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

**RESOLUTION 213-23: AUTHORIZATION TO TRANSFER FUNDS FROM CONTRACTUAL EXPENSE LINE TO PERSONNEL EXPENSE LINE IN THE BOARD OF ELECTIONS BUDGET**

Mr. Lasher presented the following:

WHEREAS, Board of Elections poll site workers have been paid through the County's accounts payable system, but it has come to the County's attention that the Internal Revenue Service requires that these individuals are considered part-time employees, and therefore these individuals must be paid through the payroll system; and

WHEREAS, it has been determined that all Board of Election poll site workers will be now be paid through the County's payroll beginning for the year 2023 to ensure immediate compliance with IRS regulations; and

WHEREAS, funding must be moved from the 'election expense' line to a personnel line to allow for the processing of payroll for these individuals; now therefore be it

RESOLVED, that the County Treasurer is authorized to make the following budget adjustments to allow for the Board of Election poll site workers to be paid through payroll as required by the Internal Revenue Service:

**A1450 – Board of Elections**

(Appropriations)

\$185,000 from 54421 Election expense

\$185,000 to 51799 Part-time Poll Site Workers

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

**RESOLUTION 214-23: AUTHORIZATION TO ESTABLISH A FOURTH PART-TIME VOTING MACHINE TECHNICIAN POSITION IN THE BOARD OF ELECTIONS**

Mr. Lasher presented the following:

WHEREAS, The Board of Elections currently has three machine technicians who work part-time as needed to maintain and service voting machines. Two of these technicians are Republicans and one is a Democrat; and

WHEREAS, Election law states that both major political parties must be represented equally; and

WHEREAS, that the Board of Elections Voting machine technicians are key part-time employees; and

WHEREAS, the additional position is required for the Board of Elections to be compliant with election law; now, therefore be it

RESOLVED, that one position of Voting Machine Technician be established at the pay rate of \$20.00 per hour up to 400 hours per year; and be it further

RESOLVED, that the County Treasurer be authorized to make the following adjustments to reflect this resolution.

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

**RESOLUTION 215-23: ASKING GOVERNOR HOCHUL AND THE NYS PUBLIC SERVICE COMMISSION TO DISMISS NYSEG AND RG&E RATE HIKE REQUESTS AND TO CORRECT THE BILLING PROBLEMS BEFORE RATE HIKES ARE CONSIDERED**

Mr. Lasher presented the following:

WHEREAS, Wayne County residents are served by NYSEG and/or RG&E utilities and

WHEREAS, NYSEG has requested a 34.9% rate increase for electric and 14.9% for gas customers which together would result in an annual bill increase of approximately \$240 for the average residential customer, and RG&E seeks a 21% rate increase for electric and 18.8% for gas customers, which combined would result in an annual bill increase of nearly \$260 for an average residential customer, and

WHEREAS, Governor Hochul called NYSEG and RG&E's rate hike request "outrageous and unacceptable" and urged her Department of Public Service (DPS) to "scrutinize every number and word of this proposal to protect New York families from unjustified and unfair rate increases", and

WHEREAS, DPS staff experts have reviewed the NYSEG and RG&E rate filings, and as documented in public records, testified to the many deficiencies and errors contained in those filings. Staff further stated that the Companies have been vague and non-responsive to their questions, and that this is the second successive rate filing in which these issues have occurred, and similar problems were noted in a 2016 management audit as well, and

WHEREAS, State regulations governing rate proceedings (16 NYCRR §61) require the Companies to provide "competent testimony" with detailed financial justification that is "neither speculative or conjectural" to support their rate requests, but the companies have failed to do so, and

WHEREAS, the NYS Public Service Commission is undertaking an investigation of the billing practices of NYSEG and RG&E because the number of consumer complaints skyrocketed to more than 4,700 in 2022, which is 60% more than the two previous years combined, and

WHEREAS, the billing problems as well as the inadequacies of the rate filings call into question the administrative competence of these monopoly utilities, and public trust has been eroded, now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors calls on the Public Service Commission and Governor Hochul to dismiss the NYSEG and RG&E rate increase requests and to protect the public interest by making sure the Companies get their billing straightened out and submit a proper, detailed rate filing before substantive rate hikes are even considered, and further be it

RESOLVED, that a certified copy of this resolution be sent to Governor Kathy Hochul, Assemblyman Brian Manktelow, Senator Pamela Helming, PSC Chair Rory Christian, and to Michelle Phillips, Secretary, Public Service Commission, with a request to file your resolution in each of the following Cases: 22-E-0317, 22-G-0318, 22-E-0319, 22-G-0320.

Mrs. Leonard moved the adoption of the resolution. Seconded by Mr. Johnson. Upon roll call, adopted.

**RESOLUTION 216-23: MAKING A DETERMINATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**

Mr. Johnson presented the following:

WHEREAS, in January of each year Wayne County undertakes review of Agricultural District #1 pursuant to AML §303-b to consider requests for inclusion of land which is predominantly viable agricultural land within certified agricultural district; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B

of the Consolidated Laws of New York, as amended (the "SEQRA Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State, being 6 NYCRR Part 617, as amended (the "Regulations"), Wayne County is required to determine whether the following action may have a "significant effect on the environment" and therefore requires the preparation of an environmental impact statement; and

WHEREAS, to aid the Board in determining whether the Project may have a significant effect on the environment, the County Ag Development Specialist has caused to be prepared a SEQRA Short Environmental Assessment Form (EAF) a copy of which is on file with the Clerk of the Board of Supervisors; and

WHEREAS, the County has examined the EAF in relation to potential modification of Agricultural District Number 1 to include parcels 66119-09-128550 in order to make a determination as to the potential environmental significance of the Project; now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors (the "Board"), as lead agency, considers the modification of agricultural district to be an Unlisted action under the State Environmental Quality Review Act (SEQRA); and be it further

RESOLVED, that based upon examination of the Short EAF the County finds there are no known potentially significant impacts on the environment and the EAF justifies a negative declaration for the purposes of the SEQR Act.

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

**RESOLUTION 217-23: AUTHORIZATION TO SET SECOND PUBLIC HEARING FOR WAYNE COUNTY COMPREHENSIVE HOUSING PLAN**

Mr. Johnson presented the following:

WHEREAS, Wayne County received funding from the Office of Community Renewal is under the 2021 Community Development Block Grant (CDBG) program known as the Wayne County Comprehensive Housing Plan; and

WHEREAS, Wayne County is required under 24 CFR570.486 and NYS's Citizen Participation Plan to schedule and conduct an advertised public hearing prior to the completion of the project to give the public the opportunity to provide comments on the Wayne County Comprehensive Housing Study project (Grant # 1219P2-21) and input as to the County's effectiveness of administration for this project; now, therefore, be it

RESOLVED, that the hearing be set for May 16, 2023 at 9:10 A.M. in the Supervisors Chambers at 26 Church Street, Lyons, New York; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to publish notice in the legal newspapers for the County for the first available publication.

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

**RESOLUTION 218-23: AUTHORIZATION TO APPROVE MODIFICATION OF AGRICULTURAL DISTRICT 1**

Mr. Johnson presented the following:

WHEREAS, New York State enacted legislation enabling landowners to apply to the Board of Supervisors for inclusion of predominantly viable agricultural land into certified agricultural districts prior to the required eight-year review period; and

WHEREAS, this legislation requires the County to establish an annual 30-day review period during which landowners may request inclusion in a certified agricultural district; and

WHEREAS, the Board of Supervisors designated January 1 to January 31 as the annual 30-day review period when landowners may submit a request to the County for inclusion in certified agricultural districts prior to established agricultural district review periods; and

WHEREAS, the following landowners have requested to have the following tax parcels included in the certified agricultural district:

<u>Tax ID Num</u>	<u>Municipality</u>	<u>Name</u>	<u>Acres</u>	<u>Parcel Location</u>
66119-09-12855	Town/Williamson	Perry & Dorothy Howland	12.09	7826 Jay Street

**TOTAL ACREAGE 12.09**

and

WHEREAS, the Agricultural Development Board has reviewed and recommended approval of this modification and has determined that the land requested for inclusion in the agricultural district is predominantly viable agricultural land; and

WHEREAS, the Board of Supervisors has conducted the required public hearing; now, therefore, be it

RESOLVED, that Wayne County Agricultural District No. 1 is hereby modified to include the agricultural land identified by their tax parcel numbers in the above referenced chart.

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

**RESOLUTION 219-23: AUTHORIZATION TO SET PUBLIC HEARING DATE FOR 2023 CDBG APPLICATIONS**

Mr. Johnson presented the following:

WHEREAS, the Office of Community Renewal is expected to solicit proposals from municipalities under the 2021 Community Development Block Grant (CDBG) program; and

WHEREAS, potential applicants for CDBG funding are required under 24 CFR570.486 and New York State's Citizen Participation Plan to schedule and conduct an advertised public hearing prior to the submission of such applications to give the public the opportunity to suggest projects for municipalities to consider; and

WHEREAS, the purpose of the hearing is to gain citizen input as to their needs and

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potential CDBG-funded projects for consideration by the County, including Housing, Economic Development and Infrastructure; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby will conduct a hearing to permit the filing of a Community Development Block Grant application; and be it further

RESOLVED, that the hearing be set for May 16, 2023 at 9:05 A.M. in the Supervisors Chambers at 26 Church Street, Lyons, New York; and be it further

RESOLVED, that the Clerk of the Board is hereby authorized and directed to publish notice in the legal newspapers for the County for the first available publication.

Mr. Robusto moved the adoption of the resolution. Seconded by Mrs. Leonard. Upon roll call, adopted.

**RESOLUTION 220-23: AUTHORIZATION TO ACCEPT ADDITIONAL AWARD TO EXPAND THE BUSINESS PARK FEASIBILITY STUDY TO INCLUDE THE FORMER BUTLER PRISON SITE AND AMEND THE BUDGET (DEFEATED 4/18/23)**

Mr. Johnson presented the following:

WHEREAS, County representatives and staff have been discussing redevelopment strategies with the New York State Prison Redevelopment Commission and New York State Empire State Development; and

WHEREAS, The Wayne County Business Park Facility Study was originally budgeted for \$60,000; and

WHEREAS, the County has been awarded an additional \$30,000 in state funding, contingent upon a \$30,000 local match, under the Empire State Development Strategic Planning and Feasibility Study Program to be reimbursed at completion of the project to expand the Business Park Feasibility Study for the Former Butler Prison Site market evaluation with; and

WHEREAS, the Director of Economic Development and Planning shall review and present a record of the Proposals and subsequent recommendations to the Board of Supervisors for approval; and

WHEREAS, that the County Deputy Budget Director has determined that an additional \$30,000 to match the program should be funded from the General Fund Contingency budget; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes acceptance of the award, and be it further

RESOLVED that the County Treasurer be directed and authorized to make the following budget amendment:

**A1990 General Fund Contingencies**

(Appropriations)

\$30,000 from 54000 Contractual Expenses

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**A8020 Economic Development and Planning**

(Revenue)

\$30,000 to 43305 NYS Grants – EDP02 Business Park Feasibility Study

(Appropriations)

\$60,000 to 54400 Contracted Services – EDP02 Business Park Feasibility Study

Mr. Groat moved the adoption of the resolution. Seconded by Mr. Verno. Upon roll call, all Supervisors Voted Nay except Supervisors Groat, Eygnor, Robusto and Johnson who voted Aye. The Chairman declared the resolution defeated.

**RESOLUTION 221-23: AUTHORIZATION TO SET SECOND PUBLIC HEARING FOR CDBG FARMWORKER HOUSING SAFETY PROGRAM**

Mr. Johnson presented the following:

WHEREAS, recipients of CDBG funding are required under 24 CFR570.486 and NYS's Citizen Participation Plan to conduct two public hearings, one prior to the completion of such applications, and a second one during the implementation to gain citizen input and solicit comments on the effectiveness of the program's administration; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes and will conduct a second public hearing for the CDBG 1219HRCV088-22 Farmworker Housing Safety project; and be it further

RESOLVED, that the hearing be set for May 16, 2023 at 9:15 A.M. in the Supervisors Chambers at 26 Church Street, Lyons, New York; and be it further

RESOLVED, that the Clerk of the Board is hereby authorized and directed to publish notice in the legal newspapers for the County for the first available publication.

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

**RESOLUTION 222-23: AUTHORIZATION TO APPOINT FAIR AND EQUITABLE HOUSING OFFICER FOR WAYNE COUNTY**

Mr. Johnson presented the following:

WHEREAS, Wayne County often applies for funding from the New York State Office of Community Renewal ("OCR") Community Development Block Grant ("CDBG") program; and

WHEREAS, OCR requires grant recipients to comply with Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Fair Housing Amendments Act of 1988 and the Human Rights Law (Executive Law, Article 15) of the State of New York as well as Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u); and

WHEREAS, OCR also requires grant recipients to appoint a Fair Housing Officer and a

Section 3 Officer to affirmatively advance these Federal goals for qualifying projects within the County; and

WHEREAS, Legal Assistance of Western New York, Inc. Fair Housing Enforcement Project has been funded by US Department of Housing and Urban Development since 1998 to investigate housing discrimination complaints in our region including Wayne County and will accept referrals for investigation; now therefore be it

RESOLVED, that the Board of Supervisors hereby designates Ora Rothfuss as Wayne County Fair Housing Officer and Section 3 Officer.

Mr. Lasher moved the adoption of the resolution. Seconded by Mr. Mettler. Upon roll call, adopted.

**RESOLUTION 223-23: AUTHORIZATION TO ENDORSE CAPITAL PROJECT AT WILLIAMSON-SODUS AIRPORT**

Mr. Johnson presented the following:

WHEREAS, the Williamson Flying Club, Inc. has requested state funds through the 2023 Aviation Capital Grant Program projects at the Williamson-Sodus Airport; and

WHEREAS, the project and purpose is to enhance the sustainability of the airport to continue to provide a high-quality, safe environment for aircraft operations; and

WHEREAS, the project goal is to reduce operating expenses, enhance airport safety and generate additional revenue; and

WHEREAS, the grant will fund the following upgrades and enhancements to the Williamson-Sodus Airport:

- Upgrade, and rehabilitate the 24-hour fuel station
- Protect the arrival and departure airspace
- Generate sustainability revenue through hangar enhancements

and;

WHEREAS, the New York State Department of Transportation, under the State Transportation Law, requires that privately-owned airports submit an endorsing resolution from the governing body of the county in which the airport is located; and

WHEREAS, the Wayne County Board of Supervisors has received a request from Williamson Flying Club, Inc. to endorse the project; now therefore be it

RESOLVED, that the County of Wayne endorses the project identified above at Williamson-Sodus Airport for the purpose of making the project eligible for State funding; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the appropriate County officials and to the Capital Projects Chairman of the Williamson Flying Club, Inc. to be filed with the NYS Commissioner of Transportation; and be

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it further

RESOLVED, that this resolution shall take effect immediately.

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

**RESOLUTION 224-23: AUTHORIZATION TO ENTER INTO AGREEMENT WITH DRAPERY INDUSTRIES INCORPORATED FOR THE REPLACEMENT OF THE WINDOW CURTAINS IN THE WAYNE COUNTY SUPERVISOR'S BOARD ROOM**

Mr. Chatfield presented the following:

WHEREAS, the 2023 Buildings and Grounds budget included funding to replace all of the curtains in the 2<sup>nd</sup> floor Supervisor's Boardroom located at Wayne County Courthouse, 26 Church Street, Lyons, NY; and

WHEREAS the Deputy Superintendent of Public Works has contacted four local vendors and received the following quotes:

	Drapery Industries Inc.	\$20,803.00	
	Parkway Windows Works	\$34,114.00	
	Creative Hands		Responded unable to provide quote at this time
	Drapery Concepts	No Response	

and;

WHEREAS, the Superintendent of Public Works has worked with Drapery Industries in the past and feels comfortable with their quote; 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 Drapery Industries, Inc to furnish and install new curtains in the Wayne County Supervisors Board Room for a cost of \$20.803.

Mr. Brady moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, adopted.

**RESOLUTION 225-23: AUTHORIZATION TO TERMINATE CONTRACT WITH FM GENERATOR**

Mr. Chatfield presented the following:

WHEREAS, FM Generator is currently on contract (RES 144-22) to provide routine maintenance, repairs and emergency services on 23 County owned generators through February 2025; and

WHEREAS, FM Generator has contacted the Deputy Superintendent of Public Works

wishing to terminate their contract early due to changes within their company not allowing them to meet the requirements of the contract; and

WHEREAS, FM Generator has agreed to complete the next bi-annual preventive maintenance service that is scheduled to be performed in late April and then requests to terminate their contract effective on May 31<sup>st</sup>, 2023; and

WHEREAS, this will give the County time to solicit quotes and award a new service contract; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to terminate the contract with FM Generator effective May 31<sup>st</sup>, 2023.

Mr. Johnson moved the adoption of the resolution. Seconded by Mr. Mettler. Upon roll call, adopted.

**RESOLUTION 226-23: REAFFIRMATION THAT THE PHASED CONSTRUCTION OF THE CRESCENT BEACH REDI PROJECT IS A TYPE I ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT**

Mr. Chatfield presented the following:

WHEREAS, Wayne County is proposing the Crescent Beach REDI project located in the Towns of Huron and Sodus, Wayne County, New York; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act ("SEQRA") and the implementing regulations at 6 NYCRR Part 617 (the "Regulations"), the County desires to comply with SEQRA and the Regulations; and

WHEREAS, the Project was previously classified as a "Type I Action" as defined by the SEQRA in 6 NYCRR Part 617.2(aj) and the Wayne County Board of Supervisors established itself as the SEQRA lead agency for the project on June 11, 2020, as that term is defined in 6 NYCRR Part 617.2(v); and

WHEREAS, the Wayne County Board of Supervisors conducted a coordinated review of the Proposed Action and subsequently completed a thorough review of the Full Environmental Assessment Form (FEAF) for the Project – Parts 1, 2, and 3, the Part 3 Supporting Information document, and the Basis of Design Supplemental Information, along with other available supporting information; and

WHEREAS, upon an examination of the aforementioned documents, the Wayne County Board of Supervisors determined that the Proposed Action will not result in a significant adverse environmental impact on the topics evaluated in Parts 2 and 3 of the FEAF, or on any additional area of concern, and will not require the preparation of a Draft Environmental Impact Statement (DEIS) with respect to the Proposed action; and

WHEREAS, these findings and a resulting determination were issued by Resolution 035-21 at a meeting of the Wayne County Board of Supervisors on January 19, 2021, and the appropriate noticing of the negative declaration was completed; and

WHEREAS, the Proposed Action has been modified as a result of estimated project costs and lack of sufficient funds to complete the entirety of the Proposed Action in a single Phase; and

WHEREAS, though the Project now constitutes four Phases of work (Phase 1 – BRB segments A1, A2, B, K, L, and M; Phase 2 – BRB segments C, H, I and J; Phase 3 – BRB segments D, E, F, and G; and Phase 4 – breach stabilization), a re-evaluation of the project has been completed, including a review of sediment transport, flow velocity, wave attenuation, and water circulation; and

WHEREAS, pursuant to the Regulations, the Wayne County Board of Supervisors has reviewed and re-considered the significance of the potential environmental impacts of the Crescent Beach REDI project given the change in construction phasing; now, therefore, be it

RESOLVED, pursuant to and in accordance with the review requirements for Type I Actions in the SEQRA Regulations, and based on a re-examination of the Project's FEAF and Supplemental Information, and considering both the magnitude and importance of each relevant area of environmental concern (as summarized in the findings of the prior SEQRA Determination of Significance Resolution No. 035-21 and included herein by reference), the Wayne County Board of Supervisors hereby re-confirms that the construction of the project in phases is not expected to result in negative effects on Crescent Beach and will not require the preparation of a Draft Environmental Impact Statement with respect to the Proposed Action; and be it further

RESOLVED, that as a consequence of such determination and in continued compliance with the SEQRA and Regulations in 6 NYCRR Part 617, the Wayne County Board of Supervisors directs the Chairman of the Board of Supervisors to complete noticing requirements related to the re-issuance of a no significant adverse environmental impact determination.

Mr. Lasher moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

**RESOLUTION 227-23: AUTHORIZATION TO SIGN BOUNDARY LINE AGREEMENT FOR COUNTY PROPERTY LOCATED IN ARCADIA**

Mr. Chatfield presented the following:

WHEREAS, L2H2 Equity, LLC is the buyer of real property known as Tax Account No. 68111-15-531274 (also known as 266 Murray Street) in the Village of Newark, County of Wayne and State of New York (deed to be recorded on even date herewith) which property is located immediately adjacent to and easterly of the premises owned by Wayne County; and

WHEREAS, Wayne County is the owner of real property known as Tax Account No. 68111-19-533214) in the Village of Newark, County of Wayne and State of New York (deed recorded on June 15, 1982 in Liber 760 of Deeds at page 210; and

WHEREAS, the parties hereto have examined and reviewed a survey of the real property

at 266 Murray Street, Newark, New York, prepared by JCW Land Surveying, PLLC dated February 23, 2023; and

WHEREAS, the parties hereto are desirous of documenting their agreement and understanding with respect to the driveway located between their respective properties as shown on said map; now, therefore be it

RESOLVED, in consideration of the mutual promises, covenants and conditions contained herein and further consideration of One Dollar (\$1.00) each to the other paid, the receipt of which is hereby acknowledged, it is hereby agreed as follows:

1. The parties agree that the survey map by JCW Land Surveying, PLLC dated February 23, 2023 does accurately depict the common boundary between the respective properties;
2. The parties acknowledge that the said driveway shown on said map that runs around the west side of the building is currently used and maintained by the owner of premises at 266 Murray Street and said driveway encroaches upon the property of the County of Wayne by as much as 27 feet;
3. The County of Wayne acknowledges that they do not use said driveway and have no problem with the owner of premises at 266 Murray Street continuing to use said encroaching portion of the said driveway for purposes of ingress and egress only. The owner of the property at 266 Murray Street shall continue to maintain the said driveway as needed for their use.
4. Wayne County shall not be responsible for any repairs or damage done to any portion of the driveway, or for any damage caused by the condition of the driveway. The owners of the property known as 266 Murray Street shall hold harmless the County of Wayne for any and all damages caused by the condition of the driveway, and shall indemnify the County of Wayne for any such damages.
5. The parties hereto, by their signatures, waive any and all right, interest or claim in the premises depicted to be the premises or property of the other party as shown on said survey map;
6. This Agreement shall be recorded in the Wayne County Clerk's Office and indexed to the premises set forth herein and as such shall "run with the land".

and be it further

RESOLVED, that that the Chairman of the Wayne County Board of Supervisors is hereby

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authorized and directed to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with L2H2 Equity, LLC.

Mr. Mettler moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, adopted.

**RESOLUTION 228-23: AUTHORIZATION TO DECLARE VEHICLES SURPLUS IN THE PUBLIC WORKS DEPARTMENT**

Mr. Chatfield presented the following:

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

2014 Ford Interceptor (SO)	VIN 1FAHP2MT3EG149019	Auction
2010 Ford F150 Pickup (BG)	VIN 1FTPF1EV8AKE38665	Auction
2017 Ford Taurus (SO)	VIN 1FAHP2MT8HG127134	Auction
2013 Ford Taurus (CG)	VIN1FAHP2MT8DG121506	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.

Mr. Lasher moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

**RESOLUTION 229-23: AUTHORIZATION TO CREATE PROJECTS IN THE HIGHWAY DEPARTMENT**

Mr. Chatfield presented the following:

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:

23-90	Lake Bluff Rd Cold Mix Paving Project	\$300,000
23-91	Lake Rd Pultneyville Paving Project	\$140,000
23-92	Kelsey Rd Paving Project	\$230,000
23-93	Canandaigua Rd Paving Project	\$230,000

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

23-78	Surface Treating Section A Project	\$ 25,000
23-79	Surface Treating Section B Project	\$ 75,000

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)

\$1,000,000 from .52600 Highway Construction to the following Chips Projects

\$300,000 to .52673 23-90 Lake Bluff Rd Cold Mix Paving Project

\$140,000 to .52673 23-91 Lake Rd Pultneyville Paving Project

\$230,000 to .52673 23-92 Kelsey Rd Paving Project

\$230,000 to .52673 23-93 Canandaigua Rd Paving Project

\$ 25,000 to .52673 23-78 Surface Treating Section A Project

\$ 75,000 to .52673 23-79 Surface Treating Section B Project

Mrs. Leonard moved the adoption of the resolution. Seconded by Mr. Johnson. Upon roll call, adopted.

**RESOLUTION 230-23: AUTHORIZATION TO RENEW AGREEMENT WITH MENTIS LANDSCAPING TO PERFORM LAWN CARE SERVICES IN COUNTY PARKS**

Mr. Chatfield presented the following:

WHEREAS, Wayne County currently has a contract with Mentis Landscaping to perform lawn care services in seven (7) County Parks that has expired; and

WHEREAS, the original bid allowed for two 1 year renewals; and

WHEREAS, Mentis Landscaping provided a 2.5% cost increase for the 3<sup>rd</sup> and final year of service; now, therefore be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to renew the contract with Mentis Landscaping subject to the County Attorney's review as to form and content, for the lawn care services in seven (7) County Parks for the total cost of \$27,841.56 effective April 15<sup>th</sup> 2023 through October 31<sup>st</sup> 2023.

Mr. Brady moved the adoption of the resolution. Seconded by Mr. Johnson. Upon roll call, adopted.

**RESOLUTION 231-23: AUTHORIZATION TO HIRE A SENIOR CLERK TYPIST AND PERMISSION FOR AN OVERLAP PERIOD IN THE DISTRICT ATTORNEY'S OFFICE**

Mr. Verno presented the following:

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WHEREAS, the current Senior Clerk Typist will be retiring effective July 1, 2023, creating a vacancy within the District Attorney's office; and

WHEREAS, the demands of this position have increased significantly due to the additional demands of the Discovery and Bail Reform Laws; and

WHEREAS, Wayne County adopted resolution 435-21 that permits the department head to hire two (2) weeks prior to vacancy, to allow time for training new hire; and

WHEREAS, said Sr. Clerk typist is retiring effective 7/1/2023 and her anticipated last day of work will be June 22, 2023, her remaining time to be taken as accrued time; and

WHEREAS, due to the complex and sensitive nature of the subject matter of this position and need for additional training, we are requesting an overlap of four (4) weeks; now therefore be it

RESOLVED, that the District Attorney's Office is authorized to hire a new employee for up to four (4) weeks of overlap training for the vacant Senior Clerk Typist position commencing on or about May 26th, 2023.

Mr. Mettler moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, adopted.

**RESOLUTION 232-23: AUTHORIZATION TO ACCEPT 5<sup>th</sup> YEAR AMENDMENT TO INDIGENT LEGAL SERVICES HURRELL-HARRING CONTRACT NUMBER CSTWIDEHH50, AND AMEND THE PUBLIC DEFENDER 2023 BUDGET**

Mr. Verno presented the following:

WHEREAS, Wayne County previously approved and signed the New York State Office of Indigent Legal Services 5-year Contract for Statewide Expansion of Hurrell-Harring Reform, CSTWIDEHH50 – Wayne; and

WHEREAS, the fifth year Budget and Work Plan for this contract has been reviewed by appropriate members of Wayne County's administrative team and subsequently approved by the Office of Indigent Legal Services; and

WHEREAS, this contract funding shall continue to be used for three written plans consisting of counsel at arraignment, quality improvement, and caseload relief pursuant to the 2017 amendment to County Law Section 772-e and enactment of Executive Law Section 832(4), "Statewide Expansion of Hurrell-Harring Reform"; and

WHEREAS, State funding for the fifth year of the overall contract has been appropriated in the 2022-2023 State budget and the proposed 2023-2024 State budget to continue to provide financial support for mandated improvements to both the Public Defender's Office and the Assigned Counsel Program; and

WHEREAS, the proposed fifth year plan Amendment to Contract Number CSTWIDEHH50 includes the fifth year Budget and Work Plan for the Public Defender's Office for the amount of \$1,249,609.48, and the Assigned Counsel Program for the amount of \$342,110, as well as \$52,000 for the Wayne County Treasurer to support a Grants Finance

Coordinator, for a total of \$1,643,719.48 with a term of April 1, 2022 through March 31, 2023, pending a 1 year extension request to March 31, 2024; and

WHEREAS, the ILSHH fifth year Public Defender and Assigned Counsel Program funding shall allow us to continue to comply with the various State mandates imposed upon us; and

WHEREAS, in line with those mandates, the Public Defender hereby requests to create a position of Services Assistant, Wayne County Public Defender Office, which would be fully funded by this contract to assist the vital work of our Sentence Mitigation Specialist Social Worker, and such position would be abolished if State funding for the position were no longer available; and

WHEREAS; that the Public Defender is desirous of amending the 2023 Public Defender budget to add prorated grant revenues and expenditures for the fifth year Hurrell-Harring reform contract; now, therefore, be it

RESOLVED, that the County Administrator is authorized to accept the fifth year plan amendment to the New York State Office of Indigent Legal Services 5 year Contract for Statewide Expansion of Hurrell-Harring Reform – Wayne, Contract Number CSTWIDEHH50; and the Chairman of the Wayne County Board of Supervisors is authorized to sign the required contract amendment of said Indigent Legal Services Contract, subject to the review and approval by the Wayne County Attorney as to form and content; and further be it

RESOLVED, that the County Treasurer is authorized to amend the Public Defender's 2023 Budget as follows:

**A11700 Public Defender**

(Revenues)

\$96,130 to A1170.43024.ILSHH – Indigent Legal Services – Hurrell-Harring

(Appropriations)

\$15,428 to A11701.51704.ILSHH Assistant Public Defender

\$ 8,514 to A11701.51937.ILSHH Investigator, P.T.

\$35,000 to A11701.51960.ILSHH New Position – Services Assistant

\$ 5,657 to A11701.58100.ILSHH NYS Retirement

\$ 4,631 to A11701.58200.ILSHH Social Security

\$18,000 to A11701.58400.ILSHH Hospitalization

\$ 1,700 to A11704.54424.ILSHH Equipment/Maintenance – (PDCMS)

\$ 6,000 to A11704.54472.ILSHH Subscriptions – (Legal Reference/Westlaw)

\$ 300 to A11704.54472.ILSHH Subscriptions – (Cellebrite)

\$ 400 to A11704.54472.ILSHH Subscriptions – (Axon)

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\$ 500 to A11704.54472.ILSHH Subscriptions – (GoGo Grandparents Rideshare)

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

**RESOLUTION 233-23: AUTHORIZATION TO EXECUTE A ONE YEAR EXTENSION AGREEMENT TO ILS HURRELL HARRING GRANT, CONTRACT CSTWIDEHH50, BETWEEN NEW YORK STATE INDIGENT LEGAL SERVICES AND COUNTY OF WAYNE, NEW YORK**

Mr. Verno presented the following:

WHEREAS, New York State Indigent Legal Services offered to enter into an agreement with the County of Wayne, New York, to provide funding to assist Wayne County to implement mandated improvements in the quality of indigent legal services provided by Wayne County pursuant to Article 18-B of the County Law; and

WHEREAS, Wayne County was awarded said grant in the sum of \$4,931,158.44 under Contract Number CSTWIDEHH50, beginning April 1, 2018; and

WHEREAS, Wayne County accepted said grant by Wayne County Resolution number 158-19, Resolution dated March 19, 2019; and

WHEREAS, the term of ILS Contract CSTWIDEHH50, was for five years, from April 1, 2018 through March 31, 2023; and

WHEREAS, on March 23, 2023 Wayne County filed a No-Cost Contract Extension Request Letter for ILS Contract CSTWIDEHH50, with the Office of Indigent Legal Services; and

WHEREAS, New York State Indigent Legal Services approved said Extension Request and submitted an Extension Contract for one year from April 1, 2023 through March 31, 2024, to be reviewed and executed by Wayne County; now, therefore be it

RESOLVED, that the Wayne County Chairman of the Board is hereby authorized to review and approve the Extension Agreement of ILS Hurrell Haring Grant, Contract CSTWIDEHH50, with New York State Indigent Legal Services to run from April 1, 2023 through March 31, 2024, subject to approval by the County Attorney as to form and content.

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

**RESOLUTION 234-23: AUTHORIZATION TO AMEND THE COUNTY BUDGET AND PURCHASE COMPUTER SOFTWARE AND RADIOLOGICAL EQUIPMENT**

Mr. Verno presented the following:

WHEREAS, The Wayne County Emergency Management Office has \$22,906 in unexpended FY2020 State Homeland Security grant funds; and

WHEREAS, Resolution 019-21 authorized acceptance of said grant; and

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WHEREAS, Emergency Management has until August 31, 2024 to expend these funds on authorized expenses, and

WHEREAS, a need has been identified to purchase Public Safety Computer Software and Radiological supplies, which are authorized expenses under this grant program; and

WHEREAS, the anticipated cost for the software is approximately \$12,300; and

WHEREAS, the anticipated cost for the radiological monitoring equipment is approximately \$10,606; now, therefore be it

RESOLVED, that the Department of Emergency Management is here by authorized to purchase the above mentioned storage devices in accordance with NYS grant policies and Wayne County purchasing policy.

Mr. Johnson moved the adoption of the resolution. Seconded by Mr. Brady. Upon roll call, adopted.

**RESOLUTION 235-23: AUTHORIZATION TO AMEND THE 2023 COUNTY BUDGET FOR RADIO PURCHASES**

Mr. Verno presented the following:

WHEREAS, the 2023 Public Safety Communications budget included funding for various mobile and portable radios that are needed for routine law enforcement and EMS operations and radio replacement; and

WHEREAS, State contract pricing for said radios has increased since budgetary pricing was obtained in 2022 during preparation of the 2023 County budget, with the current total increase in cost for all three types of radio budgeted being \$6590; and

WHEREAS, in the budget development process, the funding for two models of radios was moved to contractual expenses, with the County Management Assistant recommending that all radios budgeted now be shown as capital expenses, necessitating that a budget transfer be accomplished; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to make the following amendments to the 2023 County budget to allow for the purchase of the aforementioned mobile and portable radios:

**A1990 Contingent Fund**

(Appropriations)

\$6590 from .54000 Contractual Expenses

**A3643 Public Safety Communications**

(Appropriations)

\$32,664 from .54116 Computer Supplies

\$39,254 to .52500 Other Equipment

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Mrs. Leonard moved the adoption of the resolution. Seconded by Mr. Johnson. Upon roll call, adopted.

**RESOLUTION 236-23: AUTHORIZATION TO ACCEPT GRANT, AMEND THE COUNTY BUDGET AND PURCHASE HARDWARE FIREWALLS FOR WAYNE COUNTY PUBLIC SAFETY NETWORK**

Mr. Verno presented the following:

WHEREAS, In cooperation with Information Technology, the Wayne County Emergency Management Office has been awarded \$50,000 for the purchase and installation of hardware firewalls for the Wayne County Public Safety Network; and

WHEREAS, Resolution 359-22 authorized applying for said grant;

WHEREAS, Emergency Management has until August 31, 2023 to expend these funds; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign the required contract documents, subject to the review and approval of the County Attorney as to form and content; and be it further

RESOLVED, that the Purchasing Agent, in cooperation with the Director of Emergency Management or his designee is authorized to purchase said firewalls; in accordance with Wayne County Purchasing Policy; and be it further

RESOLVED, that the Treasurer is authorized to make the following amendment to the 2023 County budget:

**A3640 Emergency Management**

(Revenues)

\$50,000 to 43302.CYG20 Homeland Security

(Appropriations)

\$50,000 to 54416.CYG20 Computer Supplies

Mr. Mettler moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, adopted.

**RESOLUTION 237-23: AUTHORIZATION TO AMEND THE COUNTY BUDGET AND PURCHASE COMPUTER STORAGE FOR WAYNE COUNTY PUBLIC SAFETY SERVERS**

Mr. Verno presented the following:

WHEREAS, The Wayne County Emergency Management Office has \$27,695 in unexpended FY2019 State Homeland Security grant funds; and

WHEREAS, Resolution 124-20 approved acceptance of said grant; and

WHEREAS, Emergency Management has until August 31, 2023 to expend these funds on authorized expenses, and

WHEREAS, a need has been identified to expand mass storage for the Public Safety servers, which is an authorized expense under this grant program; and

WHEREAS, the anticipated cost for this storage upgrade is approximately \$28,093; and

WHEREAS, there is funding in the adopted 2023 budget to cover the additional cost that exceeds the grant award amount; now, therefore be it

RESOLVED, that the Wayne County Treasurer is authorized to make the following amendment to the 2023 County budget:

**A3640 Emergency Management**

(Revenues)

\$27,695 to 43302.SHS19 Homeland Security

(Appropriations)

\$27,695 to 54416.SHS19 Computer Supplies

and; be it further

RESOLVED, that the Department of Emergency Management is here by authorized to purchase the above mentioned storage devices in accordance with NYS grant policies and Wayne County purchasing policy.

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

**RESOLUTION 238-23: AUTHORIZATION TO CREATE AND FILL POSITIONS FOR WAYNE COUNTY EMS AND AMEND THE 2023 COUNTY BUDGET**

Mr. Verno presented the following:

WHEREAS, in anticipation of a July 1, 2023 start of operations for Wayne County EMS, it is necessary to create and fill the EMS Operations Manager position and the EMS Educator position ahead of the creation and filling of the additional Paramedic and new EMT positions needed, and

WHEREAS, the pay grades for both the EMS Operations Manager position and the EMS Educator position were set as grade 7 within the managerial/confidential schedule by Board of Supervisors resolutions 174-23 and 173-23 respectively, and

WHEREAS, Eric Dierks, EMS Supervisor, and Jason Haag, Paramedic, both have over 11 years of experience with Wayne County ALS, and have been determined to be the best candidates for the positions of EMS Operations Manager and EMS Educator respectively, and

WHEREAS, the request to hire a Grade 7 EMS Operations Manager and an EMS Educator at salaries commensurate with such experience has been submitted for review to the

Pay Plan Advisory group, and approved at a 2023 salary of \$79,723 for each position; now, therefore, be it

RESOLVED, that the positions of EMS Operations Manager and EMS Educator are hereby created within the A3625 Emergency Medical Services budget, with the ALS Director authorized to fill said positions on or after May 1, 2023, and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$159,716 from unassigned General Fund balance and make the following amendments to the 2023 County budget to fund the aforementioned positions for the remainder of 2023:

**A3625 Emergency Medical Service**

(Appropriations)

\$53,545 to .51956 EMS Ops Manager

\$53,545 to .51959 EMS Educator

\$12,873 to .58100 Payments to NYS Retirement System

\$8,173 to .58200 Payments to Social Security

\$31,580 to .58400 Hospitalization

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

**RESOLUTION 239-23: AUTHORIZATION TO TRANSFER FUNDS AWARD RFP FOR COMPREHENSIVE JAIL MEDICAL SERVICES FOR WAYNE COUNTY JAIL**

Mr. Verno presented the following:

WHEREAS, resolution 258-22 authorized the release of a request for proposals for a partner to provide comprehensive correctional healthcare services for the Wayne County Jail; and

WHEREAS, proposals were due on January 19, 2023, and two proposals were received from the following firms:

<b>Primecare Medical of New York, Inc. Morse Corectional Healthcare and Consulting</b>	
3940 Locust Lane	16035 York Road
Harrisburg, PA 17109	Sparks, MD 21152
Cost: \$748,985.48	Cost: \$55,000
Cumulative Score: 3810/6000	Cumulative Score: 1910/6000

\*Annual increases in compensation will be adjusted by the current Consumer Price Index (CPI) for the previous twelve-month period, up to a maximum of five percent (5%) and no less than three percent (3.0%) in any year of the agreement and;

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WHEREAS, the proposals were individually evaluated using the evaluation criteria outlined in the RFP document by all members of the Evaluation Team. Evaluation criteria consisted of the following: Cost, Experience providing similar services in New York State, Methodology and Transition Plan, and Proposed Work Plan; and WHEREAS, the Request for Proposal allowed for the acceptance of alternative proposals, the proposal submitted by Morse Correctional was oversight management with all expenses passed onto the County, which while considered was not compliant with the RFP scope of comprehensive services;

WHEREAS, based on the evaluations, the cumulative results score the proposal from Primecare Medical of New York highest, making it the Evaluation Team's recommendation to award a contract to Primecare Medical of New York for the provision of Comprehensive Jail Medical Services; and

WHEREAS, Primecare Medical will provide a comprehensive medical service to the Wayne County Jail, included but not limited to, intake health services, obtaining health insurance for the inmate that best suites the inmate, pharmaceuticals, x-ray, imaging, dental, medication plans and distribution of that medication;and

WHEREAS, Primecare Medical will provide a greater quality of care, and will provide a guaranteed onsite medical care seven days a week, 16hrs a day, to the Jail Facility. The current nursing staff hours and coverage, are five days a week, 16hrs a day, with on-call availability on the weekends. And,

WHEREAS, the increased level of medical care will greatly reduce the risk of inadequate medical treatment provided to an inmate that could lead to a liability claim against the County; and

WHEREAS, The current total cost of medical personnel is approximately \$432,000.00 annually, including salaries, fringe and overtime for two registered nurses, one nurse practitioner, and one medical doctor. This cost will be eliminated from the Wayne County Jail budget, and would be the responsibility of Primecare; and

WHEREAS, currently there is approximately \$235,000.00 dollars of contracted medical expenses budgeted for Jail medical, those costs would be eliminated from the Wayne County Jail budget, and would be the responsibility of Primecare; and

WHEREAS, Overtime to cover nursing staff will be reduced, as well as Corrections Officers overtime for trips to the emergency room due to the lack of onsite nurses; now, therefore be it

RESOLVED, that the Board of Supervisors hereby authorizes the selection of Primecare Medical of New York for the provision of Comprehensive Jail Medical Services and the Chairman of the Board of Supervisors is hereby authorized to execute a contract and sign any necessary documentation on behalf of the County of Wayne for the term of one (1) year with the option to extend for four (4) additional one (1) year periods, subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, the Wayne County Treasurer is authorized to transfer \$500,000 from Unassigned General Fund Balance and make the following budget amendment:

**A3150 Sheriff-Jail**

(appropriations)

\$500,000 to 54400 Contracted Services

Mr. Donalty moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, adopted.

**RESOLUTION 240-23: AUTHORIZATION TO ACCEPT A DONATION OF A THERAPY DOG FOR THE WAYNE COUNTY SHERIFF'S OFFICE**

Mr. Verno presented the following:

WHEREAS, the Wayne County Sheriff's Office has had a police K-9 program since 1984; and

WHEREAS, The Wayne County Sheriff's Office is desirous of adding a therapy dog to the K-9 program; and

WHEREAS, MK9, located at 5800 Lake Bluff Rd. in the Town of Huron would like to donate an 18 month old black Labrador retriever named Romeo to the Wayne County Sheriff's Office for use as a therapy K-9; and

WHEREAS, K-9 Romeo will be trained and used to provide affection, comfort and support to people that come into contact with the Sheriff's Office through the nature of public safety work. Research supports that the use of a therapy dog can reduce trauma to crime victims, children and their families in frightening settings and situations; and

WHEREAS, the Wayne County Sheriff's Office is an active member of the Wayne County Child Advocacy Center and is currently providing support to the CAC through our Juvenile Division and Detective Division, by conducting forensic interviews, and coordinating with partner agencies to support children and their families during times of tragedy and need, K-9 Romeo would provide emotional support and comfort to the families impacted by those described investigations; and

WHEREAS, a K-9 therapy dog will also provide support to Sheriff's Office members that are involved in traumatic incidents throughout their career; now, therefore be it

RESOLVED, that the Sheriff is hereby authorized to accept the donation of K-9 Romeo, an 18 month old black Labrador retriever from MK9, located at 5800 Lake Bluff Rd, in the Town of Huron, at no cost to county taxpayers.

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

**RESOLUTION 241-23: AUTHORIZATION TO RENEW AGREEMENT WITH VISUAL**

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**COMPUTER SOLUTIONS, INC. FOR MAINTENANCE OF THE SHIFT SCHEDULING AND TIME SHEET SOFTWARE PROGRAM FOR THE OFFICE OF THE SHERIFF AND 911**

Mrs. Leonard presented the following:

WHEREAS, the Office of the Sheriff and the 911 departments use POSSWeb/COSS/Scheduling software for shift scheduling and time sheet creation; and

WHEREAS, support and software updates are essential to the ongoing function of the system; and

WHEREAS, the annual cost of software support and updates for the period of June 2023 to May 2024 is \$7,248.28; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign an agreement with Visual Computer Solutions, Inc., on behalf of the County of Wayne, subject to approval by the County Attorney as to form and content.

Mr. Robusto moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, adopted.

**RESOLUTION 242-23: AUTHORIZATION TO SIGN AGREEMENT WITH SYRACUSE TIME AND ALARM FOR MAINTENANCE RENEWAL OF THE NURSING HOME RESIDENT WANDERING SYSTEM**

Mrs. Leonard presented the following:

WHEREAS, the Wayne County Nursing home has a resident wandering system to protect the safety of residents; and

WHEREAS, the annual cost of maintenance for the contract period beginning 7/1/2023 and ending 6/30/2024 is \$4950; and

WHEREAS, all materials, labor and software updates will be provided under this agreement; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign an agreement with Syracuse Time And Alarm , on behalf of the County of Wayne, subject to approval by the County Attorney as to form and content.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Robusto. Upon roll call, adopted.

**RESOLUTION 243-23: ADOPTION OF LOCAL LAW TO PROVIDE A PARTIAL EXEMPTION FROM COUNTY REAL PROPERTY TAXES TO ENROLLED VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS ELIGIBLE FOR A REAL PROPERTY TAX EXEMPTION UNDER REAL PROPERTY TAX LAW 466-a**

Mrs. Leonard presented the following:

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 April 18, 2023 at 9:10 a.m. in the



Supervisor's Chambers in the Wayne County Courthouse, Lyons, New York, on the following proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK  
LOCAL LAW NO. 4 FOR THE YEAR 2023**

A local law to allow enrolled Volunteer Firefighters and Volunteer Ambulance Workers to be eligible for a Real Property Tax Exemption under Real Property Tax Law (RPTL) §466-a.

BE IT ENACTED, BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, AS FOLLOWS:

**SECTION 1. STATUTORY AUTHORITY.**

The New York State Legislature has, heretofore, amended the Real Property Tax Law (RPTL) to authorize municipalities to permit enrolled volunteer firefighters and volunteer ambulance workers to be eligible for a real property tax exemption as is more particularly set forth in RPTL § 466-a which State statute was made effective as of December 9, 2022.

**SECTION 2. LEGISLATIVE INTENT AND PURPOSE.**

The said RPTL § 466-a, among other things, allows for volunteers with two (2) years of qualifying service to apply for the tax exemption which will increase the number of eligible volunteers over existing law. The Board of Supervisors recognizes the role of the volunteer firefighters and ambulance workers in securing the safety and well-being of our communities. The Board of Supervisors hereby finds that it is in the best social and economic interest of the County of Wayne to encourage volunteerism for said purposes. To that end, by providing the following exemption, and by making it available to a larger pool of volunteers, it is the intent to encourage volunteerism for our various fire and ambulance companies.

**SECTION 3. EXEMPTION GRANTED.**

A. Real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse residing in Wayne County shall be exempt from taxation to the extent of ten percent (10%) of the assessed value of such property for County purposes, exclusive of special assessments.

B. Application for such exemption shall be filed with the Assessor having jurisdiction of the real property on or before the taxable status date on a form prescribed by the Commissioner of the New York State Department of Taxation and Finance Office of Real Property Tax Services.

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C. Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service residing in Wayne County unless he or she meets each of the five (5) criteria set forth below:

6. The applicant resides in the town or village which is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
7. The property is the primary residence of the applicant;
8. The property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section;
9. The applicant has served as an enrolled member with such volunteer fire company or fire department or incorporated voluntary ambulance service for a minimum of two (2) years; and
10. The incorporated volunteer fire company or fire department and incorporated voluntary ambulance service has submitted to the Wayne County Director of Emergency Management a complete list of enrolled members, with their respective dates of service for such incorporated voluntary fire company or fire department or incorporated voluntary ambulance service. The Wayne County Director of Emergency Management shall then review all potential candidates and certify those that meet the necessary criteria to be eligible for this exemption.

D. Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty (20) years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by RPTL § 466-a for the remainder of his or her life as long as his or her primary residence is located within Wayne County.

**E. Un-remarried spouses of volunteer firefighters or volunteer ambulance workers killed in the line of duty:** An exemption by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service, to such deceased enrolled member's un-remarried spouse may be continued or re-instated if such member is killed in the line of duty; provided, however, that:

4. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who was killed in the line of duty; and
5. Such deceased volunteer had been an enrolled member for at least five (5) years; and
6. Such deceased volunteer had been receiving the exemption prior to his or her death.

**F. Un-remarried spouses of deceased volunteer firefighters or volunteer ambulance workers:** An exemption by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service may be continued or re-instated to such deceased enrolled member's un-remarried spouse; provided, however, that:

4. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of a deceased enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service; and
5. Such deceased volunteer had been an enrolled member for at least twenty (20) years; and
6. Such deceased volunteer and un-remarried spouse had been receiving the exemption for such property prior to the death of such volunteer.

**SECTION 4. EXISTING EXEMPTIONS PRESERVED.**

No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of New York Real Property Tax Law Article 4 as of December 9, 2022 shall suffer any diminution of such benefit because of the provisions of RPTL § 466-a.

**SECTION 5. EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York, and shall apply to taxable status dates occurring on or after January 1, 2024.

Mr. Johnson moved the adoption of the resolution. Seconded by Mr. Robusto. Upon roll call, adopted.

**RESOLUTION 244-23: AUTHORIZING PUBLIC AUCTION SALE OF REAL PROPERTY ACQUIRED BY THE COUNTY FOR DELINQUENT TAXES**

Mrs. Leonard presented the following:

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law of the State of New York pertaining to the enforcement of the collection of delinquent taxes, the County of Wayne may acquire title to the real property as shown on Appendix A (attached hereto and incorporated herein by reference) and is entitled to acquire title by Court Order to the properties from 2020 listed on Appendix A; and

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law, real property acquired by tax deed or Court Order may be disposed of by the County at such times and upon such terms as shall be determined by the Board of Supervisors; now, therefore, be it

RESOLVED, in accordance with Article Eleven (11) of the Real Property Tax Law;

FIRST: The enforcing officer (Treasurer) is hereby authorized and directed to take appropriate action regarding removal of property from the auction list after the filing of the Summary Judgment motion in connection with the Petition of Foreclosure and up to the time of the auction.

SECOND: The Director of Real Property Tax Services is hereby authorized, empowered and directed to conduct an on-line auction sale of the properties listed on Appendix A at COLLARCITYAUCTIONSONLINE.COM on June 23, 2023 beginning at 10 AM.

THIRD: The Director of Real Property Tax Services is hereby authorized and directed to advertise the auction in such manner as she deems suitable for obtaining the greatest public participation in the sale and to charge the advertising cost to Account No. A1364.54000 (Expenses on Property Acquired for – Advertising).

FOURTH: Each parcel of property shall be offered and sold at the public auction sale subject to the following terms and conditions of sale:

**COUNTY OF WAYNE REAL PROPERTY AUCTION SALE  
ON-LINE FORMAT  
JUNE 23, 2023 @ 10 am EST  
REGISTRATION AND PREVIEW OF ALL PROPERTIES ON-LINE JUNE 1, 2022 – JUNE  
22, 2022**

**TERMS AND CONDITIONS OF SALE**

April 18, 2023

**Addendum A**

**COUNTY OF WAYNE, NY REAL ESTATE AUCTION  
PARTIAL AUCTION TERMS - SEE BIDDER APPLICATION AND WEBSITE  
FOR ADDITIONAL DOCUMENTS AND INFORMATION**

By electronically or manually signing this certification and submitting along with all documents related to the Online Bidder Application, in exchange for bidding privileges, I hereby certify under penalty of perjury the following:

This contract and all related documents should be reviewed by your counsel prior to bidding as it contains terms and requirements which are not subject to modification, bid withdrawal, or bid cancellation. By bidding on any property being offered for auction, you acknowledge that you have either: (1). reviewed the contract with your attorney or, (2). waived right of attorney review. Further note that failure of purchaser to secure financing prior to date of transfer does not constitute grounds for an extension or return of the Down Payment and Buyer's Premium. You also acknowledge that you are eighteen years or older.

1. The property(s) offered for sale has/have been acquired by the County of Wayne (hereinafter referred to as the "County") by Court Order pursuant to the provisions of Title 3, Article 11 of the Real Property Tax Law of the State of New York.

2. **All potential Bidders/Buyers must BECOME A MEMBER WITH COLLAR CITY AUCTIONS (hereinafter referred to as the "Auction Company") @ WWW.COLLARCITYAUCTIONSONLINE.COM.**

3. All Bidders/Buyers must register for this auction and submit all required Bidder Application documents and then will be manually approved to bid once Bidder Application has been received, reviewed, and approved by the Auction Company. LATE REGISTRATIONS WILL NOT BE APPROVED.

4. Former owners will not be allowed to bid on their properties. No third parties shall be allowed to bid on behalf of a former owner.

5. By acknowledging and executing these terms and conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom the county foreclosed tax liens and has no intent to defraud the county of the unpaid taxes, assessment, penalties, and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey, transfer, or assign the property to the former owner(s) against whom the county foreclosed within 24 months subsequent to the auction date. If such conveyance occurs, the purchaser understands that he/she will be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as were owed to the county for unpaid taxes prior to

the tax lien foreclosure on the property and consents to immediate judgment by the county for said amounts in addition to reasonable attorney's fees and expenses.

6. NO PERSON OR ORGANIZATION CAN BID ON PROPERTIES AT THE AUCTION IF THEY, OR A CORPORATION OR COMPANY THEY ARE AFFILIATED WITH, OWE PROPERTY TAXES (CURRENT YEAR OR PRIOR YEAR) TO THE COUNTY. ALL SUCH TAX LIABILITIES MUST BE PAID PRIOR TO THE AUCTION IN ORDER TO BID AT THE AUCTION. Previously defaulting parties (i.e. parties who have a property tax installment contract or have failed to pay taxes for prior tax years) are not allowed to bid until 18 months after the default is cured. Failure to comply with this provision will be grounds for default and forfeiture of any deposits paid without exceptions.

7. The property will be conveyed by the county to the purchaser by quit-claim deed, containing a description of the property known as tax map number and as it appeared on the tax roll for the year upon which the county acquired title or as corrected up to date of deed. The deed will be recorded by the County upon payment in full of the purchase price and all closing fees/costs. **POSSESSION OF PROPERTY IS FORBIDDEN UNTIL THE DEED IS RECORDED WITH THE WAYNE COUNTY CLERK CONVEYING TITLE TO THE PURCHASER. TITLE VESTS AT THE RECORDING OF THE DEED.** It is agreed between the county and the purchaser that delivery and acceptance of the deed occurs upon recording of the deed, which shall constitute the transfer of legal title of the premises to the buyer.

8. Deeds shall convey title only to the person identified as the successful bidder whose bid has been accepted by the Board of Supervisors, along with the successful bidder's spouse, if so desired. No deed shall be executed to convey title in the name of anyone other than the successful bidder, and bidder's spouse, if so desired.

9. The county will not furnish an abstract of title or an instrument survey map.

10. The county does not make any representations or warranties, expressed or implied, (a) concerning: the quality or the condition of the title to the property, the validity or marketability of such title, the ownership of any improvements on the property, the condition of the property and any improvements thereon or its fitness for any use, or the accuracy of the property description on the tax roll or in the notice of sale or any other advertisement of sale furnished by the county; or (b) that the property or any improvements thereon presently comply with building or zoning codes, or with any state or local laws or regulations. Any information concerning the property furnished by the county or any of its officers, employees, or agents shall not be deemed to include any such representations or warranties. Any promotional tools such as photographic slides, tax maps, written or verbal descriptions, etc. are for informational purposes only.

11. **Any successful bidder, who fails to tender the deposit as outlined, will be forbidden to participate in this or any other auction for a time period of 18 months. Any parcels where the deposit was not received at the close of the auction contract completion date will be considered defaulted. If a purchaser fails to close on the parcel(s)**

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**that he/she bids on at the auction, he/she will be prohibited from participating at future auctions held for the County of Wayne for a time period of 18 months.**

12. I acknowledge that I have received a complete bidder packet and will not be approved to bid until the Auction Company has received my fully completed Online Bidder Application.

13. As specified in the "Online Bidder Application," I unconditionally acknowledge, agree, and authorize the Auction Company to place a \$1,000.00 hold on my credit or debit card **(NO PREPAID CARDS OR AMERICAN EXPRESS ACCEPTED)** or you may include an official bank check made payable to COLLAR CITY AUCTIONS, INC. PERSONAL AND/OR BUSINESS CHECKS WILL NOT BE ACCEPTED. Credit card hold released upon completion of the purchase and sale contracts for winning bidders, and within 10 business days for non-winning bidders. If your credit card hold is not released, you must contact your credit card company as we auto release them post auction. ANY HOLD UP IS DUE TO YOUR CREDIT CARD COMPANY. The hold is required to be approved to obtain bidding privileges and will only be converted to a fully executable charge and retained if the successful high bidder does not perform and complete the required purchase contracts and addendums by appointment on **July 6 & 7, 2023**, at the Wayne County Office Building located at 16 Williams Street, Lyons, NY14489. I further unconditionally pre-authorize and grant permission to the Auction Company to charge my credit or debit card in full or part for all amounts, plus a \$750.00 default fee, if I default in any contractual obligations herein and forever forgo any and all rights to place a chargeback or dispute on any charge placed on my credit card related to my obligations agreed to herein as well as contained in the Online Bidder Application Credit/Debit Card Agreement and/or other auction related documents. If I attempt or do place any chargeback, file a dispute, rescind or claim of any kind, or attempt to cancel any hold or charge of fees due now or in the future, I unconditionally grant the Auction Company pre-authorized permission to charge all monies due in full or increments as available. I further acknowledge, pre-authorize, and instruct my credit card company that if I file a dispute, chargeback, or any claim to block, reverse, or cancel any charge or hold placed by the Auction Company or the County that it is not valid. I further instruct and grant unconditional authorization and permission to my credit card company to void my chargeback, dispute, or requests of any kind now and forever. Additionally, I grant the Auction Company permission to charge my credit card now or at any time in the future an additional recovery fee, in full or increments, the amount of \$750.00 to cover their time involved with answering any chargeback, dispute, or claim now or in the future. **I acknowledge that my credit card information provided on my Bidder Registration Application is valid and provided for manual keyed input regardless of if it is a chipped card.** I also acknowledge and agree to reimburse the Auction Company and County all time, legal expenses, attorney fees incurred if I cause litigation or any claim that would cause these types of fees to be incurred. I further agree not to close or block any credit card in an attempt to prevent fees due

from being charged to my credit card. I unconditionally acknowledge and agree that upon registering and entering my name and credit card information into the Auction Company's registration process that I am electronically signing and guaranteeing that I have read, fully understand, and agree to abide by and be bound by all related terms and related auction documents. I agree to be fully responsible for all associated costs involved with the resale, remarketing, and any deficiency if I default and the Auction Company and county must resell any property(s) due to my default. I agree that if I bid on multiple properties, these terms and all fees apply individually to each separate parcel.

14. I have read and agree to be bound by all terms herein as well as contained in the County of Wayne, NY Tax Property Online Bidder Application and fully and unconditionally understand and agree to abide by and be bound to them without exception.

15. By registering, I acknowledge I have sufficient funds to meet all requirements as called for by the terms within the Online Bidder Application as well as purchase agreement post auction. I agree to be fully responsible for all collection costs, plus reasonable attorney fees related to any and all collection costs incurred by the County or Auction Company. If I default I fully understand that litigation between the county and any bidder or buyer will only be brought forth in Wayne County Supreme Court and any litigation between the Auction Company and any bidder or buyer shall only be brought forth in Schenectady County Supreme Court or the bidder as purchaser unconditionally acknowledges the Auction Company may bring action in small claims court in Schenectady County, NY for monies due the Auction Company as well.

16. Upon being declared the high bidder on a parcel, the Bidder as Purchaser will be contacted by the Auction Company to schedule an appointment which will take place at the Wayne County Office Building, 16 Williams Street, Lyons, NY 14489, **Thursday, July 6 & Friday July 7, 2023 from 10:00 am to 4:00 pm**. At that time, the buyer will be required to execute the Contract of Sale Packet and remit the required Down Payment of 10% of the bid price and Buyer's Premium (Buyer's Premium percentage is based on payment method, 6% if paying by cash or bank check and 10% if paying by credit card), per property, based on the total on bid amount. In addition, a 1.5% advertising fee shall apply to all purchases. If a bid price is \$1,000.00 or less, plus buyer's premium and all other required fees/costs, if any described herein, shall be the total purchase price and must be paid in full at time of contract completion. **Bidder is encouraged to pay the entire bid price at Contract of Sale execution. All monies must be made in CASH or Cashier's Check, Visa, Mastercard or Discover. No American Express or Pre-paid Credit Cards. Cashier's Checks must be payable to the Collar City Auctions, Inc. Escrow and drawn on banks insured by the Federal Deposit Insurance Corporation (FDIC) or National Credit Union Association (NCUA). No exceptions.**

17. The property will be sold as advertised and "AS IS" with absolutely no warranty or guaranty, expressed or implied. I agree to accept the property in, "AS IS" condition with all faults as defined in the Auction Rules and Sales Contract. No representations of any kind are or



have been made by the Auction Company, County of Wayne or their agents as to the title or physical condition of the property or as to the existence of any improvements thereon including water/well and sewer/septic systems. The sale of these properties is pursuant to a purchase contract. Failure of purchaser to secure financing prior to date of transfer does not constitute grounds for an extension or return of the down payment or buyer's premium. All information contained in the Auction Brochure and contained within the website of Collar City Auctions, Inc. and contained in the Online Bidder Application is supplied for informational purposes only and not guaranteed. Prospective purchasers are urged to fully research any property prior to bidding at auction. Furthermore, all parties agree to hold harmless the County, Auction Company and their agents from any errors and/or omissions, injury and/or other matters that may arise now or in the future.

18. I am an eligible buyer as defined in the Auction Terms, Online Bidder Application and Sales Contract Packet.

19. (a) I am not the prior owner of any of the properties being offered for auction;

(b) I am not an immediate family member of a prior owner:

(c) I am not in any way acting on behalf of, as an agent of, or as a representative of the prior owner;

(d) I am not acting as an agent of any officer, stockholder of a Corporation or general or limited partner of a partnership which owns any of the properties being offered for sale;

(e) I do not own property in the County of Wayne, either individually, jointly with another, through a corporation or partnership, which **has delinquent taxes**;

(f) I am not acting on behalf of, as an agent of, or a representative of any of the persons or entities set forth herein or above;

(g) In accordance with the requirements and prohibitions set forth in Article 18 of the General Municipal Law, sitting members of the Wayne County Board of Supervisors are precluded from bidding on any parcels included in the auction. Members of Town Boards for each Town in the County of Wayne are precluded from bidding on any parcels located in their respective Towns. I am not an elected or appointed official, (nor the spouse, minor child or dependent, thereof) involved in the assessment, tax levy, budget making, or tax rate setting process in any municipality in the County of Wayne, including but not limited to Assessors, Board of Review Members, Town Board Members, Town Supervisors, Village Trustees, Village Mayor, County Bureau of Finance, County Attorney, County Legislators, County Clerk, or County Real Property Tax Director;

(h) that I have not defaulted from the prior **TWO** years' County of Wayne Delinquent Auctions. That by submission of a bid, each bidder and each person signing in person or electronically on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies that to the best of their knowledge and belief: The prices in a bid have been arrived at independently without collusion, consultation, communication, or agreement for the purpose of restricting competition as to any matter relating to such prices with any other bidder or with any competitor.

20. I understand that in the event that I refuse or fail to complete my contractual obligations as a successful high bidder or if I fail to consummate purchase of any parcel at an auction, the second highest bidder of that parcel, at the discretion of the County of Wayne, NY, shall be offered the opportunity to purchase the parcel at the amount of the second highest bid plus the buyer's premium, closing costs/fees, and such other amounts as are due under these terms and conditions of sale. Secondary sale is not grounds for any refund or release of performance obligations to initial bidder as purchaser.

21. I understand and agree that if at any time prior to the recording of the deed, the County of Wayne determines that the Buyer is one of the persons set forth in paragraph 4, 5 and 6 herein or in violation of paragraph 8 herein, the County of Wayne at its sole option shall declare the public online auction sales contract breached and the County of Wayne shall retain any and all down payments made, and the Buyer shall forfeit all buyer's premium to the Auction Company paid or due and owing. I understand that if I am an elected official bidding on tax property within the local government jurisdiction that I serve, knowingly entering into a purchase contract is in violation of state law and may subject me to criminal and/or civil penalties including but not limited to: forfeiture of deposits, purchase price, buyer's premium, and title to the subject property.

22. I agree to hold the Auction Company, County of Wayne and their agents and or principals to the extent permitted by law, harmless from any claims based on environmental hazards that may be present on any property I purchase. No representations have been made or will be made by the County of Wayne as to the environmental condition or zoning compliance of the property.

23. I have received a copy of the pamphlet Protect Your Family From Lead in Your Home and I waive the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead based paint hazards.

24. I understand that only bids made by clearly using my user identification/user screen name will be accepted and that the bidding process will be recorded.

25. All parcels purchased by a Buyer must be paid for in full. Selective closings are not permitted. Failure to remit full payment on all parcels purchased at the auction will result in a forfeiture of all monies paid, which will be retained by the county and Auction Company as liquidated damages, and the cancellation of all sales to the Buyer.

26. All tax properties sold at auction are being sold subject to:

- a) Rights of the public and others in and to any part of the premises that lies within the bounds of any street, alley, or highway.
- b) Manufactured home, mobile home or trailer liens, if any.
- c) All covenants, leases, easements, and restrictions of record affecting said premises, if any.
- d) Any state of facts that an accurate, currently dated survey might disclose.
- e) Environmental conditions of property.
- f) All New York State and Federal tax liens, if any.

g) All taxes due as applicable and disclosed on the date of the auction. It is understood that these taxes may not be exact and owing

h) Village tax liens, if any.

i) Back delinquent taxes are forgiven, and the Buyer shall not be liable for any previous taxes owed by the former owner.

27. The premises being sold may be subject to tenancies and/or leases affecting the said premises. Buyer is to determine the existence and status of such interests and the applicable legal rights there to. Evictions, if necessary, are solely the responsibility of the Buyer after the recording and receipt of the deed.

28. The total Bid Price is the combination of the high bid, the buyer's premium, and all applicable fees. The buyer shall enter into the required non-contingent purchase and sale agreement. All sales shall be final, absolute and without recourse, and in no event shall the county be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, successors or assigns, against the county arising from this sale.

29. Notice is hereby given that the premises being sold may lie within an Agricultural District as designated upon the tax map. It is the sole responsibility of any bidder to ascertain which specific parcel(s) is so designated and thereby sold subject to the provisions of law applicable thereto.

30. All bids are subject to acceptance by the Wayne County Board of Supervisors. The purchaser's bid will be submitted to the Board of Supervisors on July 18, 2023. It shall be the purchaser's responsibility on **July 19, 2023** to determine whether the bid was accepted or rejected by the Board of Supervisors **by calling our office at 888-222-1522**.

31. The purchaser must pay the balance of the purchase price (**paid in cash, certified check, bank check, money order, credit card payable to the Wayne County Treasurer**) together with the necessary recording taxes and fees (**paid in cash or check payable to the Wayne County Clerk**) no later than 2:00 PM on AUGUST 4, 2023. Upon receipt of such payments, the deed will be recorded in the County Clerk's Office and mailed to the purchaser upon completion of the recording process. The purchaser may not assign his/her right to complete the sale. ALL DEEDS SHALL BE EXECUTED SOLELY IN THE NAME OF THE BIDDER (AND SPOUSE, IF REQUESTED) AS REGISTERED AT THE AUCTION. If the purchaser fails to make such payments on or before AUGUST 4, 2023, the sale shall be deemed cancelled, the County shall not be obligated to convey the property to the purchaser and the purchaser's deposit shall be retained by the County as liquidated damages.

IF THE BALANCE DUE FROM BUYER(S) PLUS ANY ADDITIONAL CHARGES ON EACH PROPERTY PURCHASED AT AUCTION IS NOT RECEIVED IN FULL ON OR BEFORE **FRIDAY AUGUST 4, 2023, BY 2:00 P.M.** at the County of Wayne Treasurer's Office, 16 Williams Street, Lyons, NY 14489, THE BUYER(S) SHALL IMMEDIATELY FORFEIT THEIR DOWN PAYMENT

OR ANY PAYMENTS MADE WITHOUT RECOURSE AND THE PURCHASE AND SALE AGREEMENT SHALL BECOME NULL AND VOID FOR ANY OBLIGATION THE COUNTY AND AUCTION COMPANY HAD TO PURCHASER. Purchaser agrees and understands that the buyer's premium is deemed earned by Auction Company upon approval or acceptance of bid by the county and is non-refundable. This means when you become the successful high bidder through bidding. A sample purchase and sale agreement is available online at [www.CollarCityAuctionsOnline.com](http://www.CollarCityAuctionsOnline.com) or call our office at 518-895-8150 x 3003 to request a sample be sent via USPS if you do not have internet access. No internet accessibility? You may also place a bid utilizing our "Absentee Bid Form" contained within the "Online Bidder Application". Persons defaulting from prior year's auctions are disqualified for eighteen months from participating in delinquent property tax auctions or acquiring title through such process.

32. The transfer costs/fees which the purchaser shall be required to pay, in addition to bid price, shall consist of:

- a) Filing fee for the Real Property Transfer Report (RP-5217) of \$125.00 if the property is classified as agricultural, a 1-3 family dwelling, an apartment, or condominium, and \$250.00 if the property is otherwise classified (vacant, commercial, entertainment, community service, industrial, public service, forest, etc.)
  - b) Filing fee for combined Capital Gains Transfer Tax Affidavit \$5.00
  - c) Preparing, recording, and filing of the deed, \$55.00
  - d) Capital Gains Transfer Tax, \$4.00 per \$1,000.00 of bid price
33. **Property Inspections: DRIVE BY ONLY. DO NOT ENTER PROPERTIES!**

34. Purchasers are not responsible for payment of any delinquent county property taxes which were due prior to the foreclosure. Purchasers will, however, be responsible for the current year 2023 Village property tax bill and any relevy amounts. If the property tax payment for any village parcels that include a relevy are not received, the purchaser will be responsible for the full amount of the Village bill to include all relevy amounts. Any 2023 Village property tax bills not paid must be paid directly to the Village as instructed on the bill. The county will convey the property free and clear of county tax liens accrued on or before January 1, 2023.

35. In order to avoid future delinquent charges, the new owner should immediately advise all tax collectors of the new ownership, and the address where future tax bills are to be mailed.

36. All bids are subject to and contingent upon approval and acceptance by the Wayne County Board of Supervisors. The county reserves the right to sell to the second highest bidder if Purchaser defaults.

37. The Board of Supervisors reserves the right to accept or reject any or all bids, or to withdraw any parcel from the sale at any time prior to delivery of the deed to the purchaser.

38. In the event that a sale is cancelled by Court Order or judgment or by the Wayne County Board of Supervisors, the successful bidder shall be entitled only to a refund of the

purchase money. Purchaser shall not be entitled to special or consequential damages, attorney fees, reimbursement for any expenses incurred as a result of ownership or improvements of the property, nor for taxes paid during the period of ownership.

39. No personal property is included in the sale of any property and/or parcel(s) owned by the County of Wayne. The disposition of any personal property located on, in, under or on the property or parcel sold shall be the sole responsibility of the purchaser upon transfer of title.

40. Notice to Real Estate Brokers/Agents: The Auction Company is acting in the capacity of a Real Estate Broker/Auctioneer and NOT as a Realtor on the auction of the properties contained herein. The Auction Company is NOT offering any cooperating brokerage fee to any outside brokerage company or agent for producing a bidder or purchaser at this auction. It is recommended that Brokers and/or Agents structure some type of compensation from the buyer they are representing.

I, the Bidder, acknowledge that I, read, write and fully understand the English language and further agree and acknowledge that I have fully read and, if felt necessary, reviewed all terms/bidder registration documents related to bidding and purchasing with my counsel. I further acknowledge that all information is true and accurate under penalty of law.

Mr. Johnson moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, adopted.

**RESOLUTION 245-23: AUTHORIZATION TO EXTEND CONTRACT WITH VANASSE, HANGEN, BRUSTLIN, INC.**

Mrs. Leonard presented the following:

WHEREAS, The County entered into a contract with Vanasse, Hangen, Brustlin, Inc. (VHB) on August 1, 2022 for the period August 1, 2022 through June 1, 2023 for the AutoCad conversion project; and

WHEREAS, the conversion project contract began 6/1/22 with an estimated end date of 5/31/2023. Due to unforeseen delays starting the project, the Real Property Tax Director, along with the vendor (VHB) has deemed it necessary to extend the contract date through 12/23/2023. Now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute this contract amendment with VHB, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 246-23: AUTHORIZATION TO AWARD RFP FOR LIQUIDITY ANALYSIS AND MANAGEMENT SERVICES TO THREE + ONE COMPANY**

Mrs. Leonard presented the following:

WHEREAS, the County released an RFP for liquidity analysis and management services; and

WHEREAS, only one vendor responded to said RFP, Three + One Company, Inc., 180 Office Park Way, Pittsford, New York 14534; and

WHEREAS, Three + One Company bid \$30,600 per year, with the right to amend based on increases in CPI on the anniversary of the agreement; and

WHEREAS, this vendor has provided these services for numerous years without issue; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute a contract with Three + One Company, Inc. for a term commencing July 1, 2023 and terminating June 30, 2026 for a total contract amount not to exceed \$91,800.00, subject to the County Attorney's approval as to form and content; and be further

RESOLVED, the County agrees to allow Three + One Company the right to increase their fee by the CPI Adjustment on the agreement anniversary, which will be done by resolution and a contract amendment.

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

**RESOLUTION 247-23: AUTHORIZATION TO EXECUTE CONTRACTS FOR THE 2023 WAYNE COUNTY FAIR**

Mrs. Leonard presented the following:

WHEREAS, several Wayne County Departments have requested to rent booths at the 2023 Wayne County Fair scheduled for August 14-18, 2023; and

WHEREAS, the cost for each booth space is based upon quantity of booths, location, utility hook ups and extra worker passes; now, therefore be it

RESOLVED, that subject to Standing Committee approval, the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute contracts on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Union Agricultural Society at Palmyra for rental booths for the following County Departments for the 2023 Wayne County Fair:

<u>DEPARTMENT</u>	<u>QTY/Booth</u>	<u>\$5/Extra Passes</u>	<u>Utilities</u>	<u>TOTAL</u>
WC Tourism	1 Booth (220.00)	6 passes (30.00)	N/A	\$250.00
WC Nursing Home	1 Booth (220.00)	0	\$50/Electric	\$270.00
WC Public Health	2 Booths (440.00)	2 passes (10.00)	\$50/Electric	\$500.00
WC Mental Health	2 Booths (440.00)	2 passes (10.00)	\$50/Electric	\$500.00

Mr. Lasher moved the adoption of the resolution. Seconded by Mr. Mettler. Upon roll call, adopted.

**RESOLUTION 248-23: AUTHORIZATION TO PURCHASE A TOSHIBA COPIER UNDER A DEFERRED PAYMENT PLAN AND AMEND THE PURCHASING DEPARTMENT BUDGET**

Mrs. Leonard presented the following:

WHEREAS, there are several offices located at the County's William Street location that have identified a need for copier equipment that can be shared between offices that has the ability to efficiently copy, scan, and print documents, while also being cost effective to process large documents; and

WHEREAS, the Purchasing Department worked with the IT Director to obtain a quote from Toshiba for a copier that would fit this need; and

WHEREAS, a quote has been received, per NYS contract PM68135, for a 48 month deferred payment plan at the cost of \$133.43 per month with a per use click count to be billed quarterly at \$0.00517/image for black and white and \$0.052/image for color; and

WHEREAS, the offices at 16 William Street will include the Audit Department, the Purchasing Department, and the Wayne County Regional Land Bank and it has been determined to be most efficient to request that the cost for the deferred payment plan be paid out of one department's budget, which will be Purchasing, with the click counts charged back to the individual offices based on actual usage quarterly; now, therefore be it

RESOLVED, that the IT Department is authorized to issue a purchase order to Toshiba, on behalf of the Purchasing Department, at the cost of \$133.43 per month, for a 48 month term, with click counts billed quarterly to the offices using the equipment based on usage at \$0.00517/image and \$0.052/image; and be it further

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

**A1990 Contingent Fund General**

(Appropriations)

\$1,775 FROM 54000 Contractual Expenses

**A1345 Purchasing Department**

(Appropriations)

\$1,475 TO 54408

**A1320 Audit Department**

(Appropriations)

\$300 TO 54408

April 18, 2023

Mr. Brady moved the adoption of the resolution. Seconded by Mr. Johnson. Upon roll call, adopted.

**RESOLUTION 249-23: AUTHORIZATION TO APPOINT MEMBER TO THE WAYNE COUNTY REGIONAL LAND BANK BOARD OF DIRECTORS**

Mrs. Leonard presented the following:

WHEREAS, Wayne County Real Property Tax Director, Karen Ambroz, is no longer available to serve on the Wayne County Regional Land Bank Board of Directors as a County Representative; and

WHEREAS, Wayne County Auditor, Kristen Scott, has agreed to serve on the Board for the remainder of Karen Ambroz's term, ending December 31, 2024, as a County Representative; now therefore be it

RESOLVED, that the Wayne County Auditor, Kristen Scott, is hereby appointed to the Wayne County Regional Land Bank Board of Directors, thereby filling the vacancy for the remainder of the specified term.

Mr. Lasher moved the adoption of the resolution. Seconded by Mr. Mettler. Upon roll call, adopted.

**RESOLUTION 250-23: AUTHORIZATION TO ENTER INTO AGREEMENT WITH THE WAYNE COUNTY REGIONAL LAND BANK CORPORATION**

Mrs. Leonard presented the following:

WHEREAS, the Wayne County Regional Land Bank Corporation (Land Bank) has been established to address derelict properties by facilitating the return of vacant, abandoned and tax-delinquent properties to productive use; and

WHEREAS, Resolution 300-20 authorized the Chairman of the Wayne County Board of Supervisors to execute a contract, for a two year term ending December 31, 2021, with the Land Bank, subject to terms and conditions that were agreed upon by both the County and the Land Bank; and

WHEREAS, Resolution 343-18 authorized the transfer of profits, if any, from the County's annual property tax foreclosure auction to the Land Bank to assist in addressing derelict properties in the County; and

WHEREAS, due to the expiration of the previous contract, the County and the Land Bank are desirous of entering into a new agreement which details terms including the lease of suitable office space for use by the Land Bank at 16 William Street, Lyons, NY 14489, Information Technology (IT) services to be provided by the County to the Land Bank, and financial assistance from the County to the Land Bank consisting of the net proceeds from the annual property tax foreclosure auction sale, after expenses incurred by the County relating to the tax foreclosure are deducted; and

WHEREAS, the agreement also includes details pertaining to responsibilities of both



parties and reimbursement amounts paid by the Land Bank to the County as calculated by the County Public Works Department and IT Department, in accordance with fees charged to other Departments, in order to defray costs the County incurs related to building space and IT services; now therefore be

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute an agreement with the Wayne County Regional Land Bank Corporation, subject to review and approval by the County Attorney as to form and content, for a term of three (3) years commencing April 1, 2023- March 31, 2026, with options to renew the agreement for two (2) additional two (2) year periods upon mutual consent.

Mr. Johnson moved the adoption of the resolution. Seconded by Mr. Brady. Upon roll call, adopted.

#### **RULE 14 RESOLUTIONS:**

#### **RESOLUTION 251-23: AUTHORIZATION TO SIGN A CONTRACT WITH VENESKY & COMPANY FOR THE COMPLETION OF ARTICLE 6 STATE AID QUARTERLY CLAIMS FOR 2023**

Mr. Robusto presented the following:

WHEREAS, Wayne County Public Health (WCPH) is required to complete and submit an annual Article 6 State Aid Application to the NYSDOH for approval; and

WHEREAS, the 2023 Article 6 State Aid Application has been submitted and approved for claiming by the NYSDOH; and

WHEREAS, WCPH has experienced several staffing changes and no longer has an employee experienced in completing quarterly State Aid claims; and

WHEREAS, WCPH has requested quotes from accounting service companies for the completion of the 2023 quarterly Article 6 State Aid claims. The following quotes were received:

Venesky & Company - \$19,800  
Insero & Co. CPAs, LLP – declined  
Drescher & Malecki LLP - declined

WHEREAS, WCPH wishes to contract with Venesky & Company for accounting services to complete the 2023 quarterly Article 6 State Aid claims at the above quoted price; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract, and sign future amendments, with Venesky & Company for accounting services to complete Wayne County Public Health's 2023 quarterly Article 6 State Aid claims, for the period of April 18, 2023 to March 31, 2024, for a total amount of \$19,800, subject to the County Attorney's approval as to form and content; and be it further

April 18, 2023

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

**A1990 Contingent Fund General**

(Appropriations)

\$12,672 from 54000 Contractual Expenses

**A4010 Public Health**

(Revenue)

\$7,128 to 43401 Public Health Article 6 Aid

(Appropriations)

\$19,800 to 54500 Fees for Service- Non employee

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

**RESOLUTION 252-23: AUTHORIZATION TO SIGN AN IMMUNIZATION ACTION PLAN CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH ON BEHALF OF WAYNE COUNTY PUBLIC HEALTH**

Mr. Robusto presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently holds an Immunization Action Plan (IAP) contract with the New York State Department of Health (NYSDOH); and

WHEREAS, the New York State Department of Health has released a new five (5) year contract that requires WCPH to conduct assessment, outreach and education activities to increase childhood, adolescent and adult immunization rates to reduce the occurrence of vaccine preventable diseases; and

WHEREAS, the IAP contract period will be from April 1, 2023 to March 31, 2028 for an amount of \$45,462 / year, with a total amount for the five (5) year contract period not to exceed \$227,310; and

WHEREAS, this contract will be executed and managed through the Grants Gateway system; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to submit a workplan and budget to the NYSDOH for approval by April 6, 2023; and, be it further

RESOLVED, that once the workplan and budget are approved by the NYSDOH, the Chairman of the Board of Supervisors is hereby authorized to execute a five (5) year contract with the NYSDOH for the Immunization Action Plan, for the period of April 1, 2023 to March 31, 2028, for the amount of \$45,462 / year, with a total amount not to exceed \$227,310 for the five year contract period, and for which the contract will be executed and managed through the

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Grants Gateway system, subject to the approval of the County Attorney as to form and content.

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

Mr. Robusto moved, seconded by Mr. Chatfield that one (1) resolution be allowed on the floor under Other Business. Upon roll call, all Supervisors voted aye. Motion Carried.

**RESOLUTION 253-23: AUTHORIZATION TO AMEND RESOLUTION 15-23 AND REQUEST STATE MUNICIPAL HOME RULE LEGISLATION FOR EXTENSION OF ADDITIONAL 1% SALES TAX TO NOVEMBER 30, 2025**

Mrs. Leonard presented the following:

WHEREAS, the County of Wayne presently has authority to collect an additional 1% sales tax, but said authority expires as of November 30, 2023; and

WHEREAS, without said additional 1% sales tax, property taxes would be further burdened and would be significantly increased; and

WHEREAS, the extension period has been reduced to 2 years; now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby requests State Legislators, Senator Pamela Helming and Assemblymen Brian Manktelow to prepare a municipal Home Rule Statute giving the County of Wayne authority to extend the additional 1% sales tax from December 1, 2023 to November 30, 2025.

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

The Chairman announced that the 2023 Board of Supervisors picture will be taken at the close of the meeting today.

**ADJOURNMENT:**

The next meeting of the Board of Supervisors will be held on **Tuesday, May 16, 2023** in the Supervisors Chambers. On motion of Mr. Donalty and seconded by Mr. Kolczynski the Board adjourned the meeting at 9:56 a.m. Carried.

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