

**WAYNE COUNTY BOARD OF SUPERVISORS
2023 ANNUAL SESSION**

1st Day
Monday, January 3, 2023

Pursuant to Section 151 of the County Law the Board of Supervisors convened in their chambers in the Court House, Town of Lyons, New York, on the 3rd day of January 2023 at 9:00 a.m., and was called to order by Kelley P. Loveless, Clerk of the previous Board.

The Clerk did the invocation for this first meeting of this Board of Supervisors for 2023.

The Clerk requested Supervisor Bender to lead the Board in the Pledge of Allegiance.

ROLL CALL:

ARCADIA	Richard VanLaeken
BUTLER	Tom Mettler
GALEN	Steven Groat
HURON	Philip Eygnor
LYONS	James Brady
MACEDON	Kim V. Leonard
MARION	Jolene Bender
ONTARIO	Frank Robusto
PALMYRA	Kenneth Miller
ROSE	Richard Lasher
SAVANNAH	Michael Kolczynski
SODUS	Scott Johnson
WALWORTH	Michael Donalty
WILLIAMSON	Tony Verno - Absent
WOLCOTT	Lynn Chatfield

ELECTION OF PERMANENT CHAIRMAN:

Mr. Johnson placed in nomination, the name of Philip Eygnor, Town of Huron, for Permanent Chairman, seconded by Mr. Mettler.

The Clerk asked if there were any other nominations for Permanent Chairman of the Board of Supervisors.

Mr. Kolczynski moved, seconded by Mr. Donalty that the nominations be closed.

As there was no opposition for the Chairman seat, the Clerk cast one ballot and declared Philip Eygnor duly elected as Permanent Chairman for 2023; and appointed Supervisor Bender to escort the Chairman to the Chair.

Chairman Eygnor thanked the Board of Supervisors for his re-election of Chairman and looked forward to working with the Board in 2023.

APPOINTMENT OF VICE-CHAIRPERSON

Chairman Eygnor announced that Lynn Chatfield had been chosen to serve as Vice-Chairperson for 2023.

ELECTION OF CLERK OF THE BOARD:

Mr. Kolczynski placed in nomination the name of Kelley P. Loveless as Clerk of the Board. Seconded by Mr. Chatfield.

Mr. Chatfield moved that the nominations be closed seconded by Mrs. Bender. Upon roll call, carried.

The Chairman declared Kelley P. Loveless duly elected Clerk of the Board.

ELECTION OF DEPUTY CLERK OF THE BOARD:

Mr. Groat placed in nomination the name of Debbie Ann Liseno as Deputy Clerk of the

Board. Seconded by Mr. Kolczynski.

Mr. Chatfield moved that the nominations be closed seconded by Mrs. Bender. Carried.
The Chairman declared Debbie Ann Liseno duly elected Deputy Clerk of the Board.

ELECTION OF BUDGET OFFICER:

Mrs. Leonard placed in nomination the name of Richard House as Budget Officer.
Seconded by Mrs. Bender.

Mr. Chatfield moved, seconded by Mr. Robusto, that nominations be closed. Carried.
The Chairman declared Richard House duly elected Budget Officer.

ELECTION OF DEPUTY BUDGET OFFICER:

Mr. Robusto placed in nomination the name of Brian Sams as Deputy Budget Officer.
Seconded by Mr. Mettler.

Mr. Chatfield moved, seconded by Mr. Robusto that nominations be closed. Carried.
The Chairman declared Brian Sams duly elected Deputy Budget Officer.

MAJORITY LEADER:

Mr. Eygnor announced that the Republicans had chosen Mrs. Jolene Bender, Supervisor from the Town of Marion, to serve as Majority Leader.

MINORITY LEADER:

As the full Board is fully comprised of all Republicans, a Minority Leader was not required to appoint.

2023 STANDING COMMITTEES:

Chairman Eygnor announced that the Standing Committee assignments, Chair and Vice Chair would remain the same as in 2022.

No. 1 - FINANCE COMMITTEE

KIM LEONARD

JODY BENDER

STEVE GROAT

FRANK ROBUSTO

RICHARD VANLAEKEN

- A. COUNTY TREASURER
 - TAX ADVERTISING
 - CONTINGENCY FUND PROJECTS
 - COMMUNITY COLLEGE
 - LIABILITY & CASUALTY RESERVE FUND
 - UNCOLLECTED INSURANCE
 - JUDGMENT & CLAIMS
 - EXPENSES ON ACQUIRED PROPERTY
 - HOSPITAL & MEDICAL INSURANCE
 - SERIAL BOND
 - LIBRARY
- B. INFORMATION TECHNOLOGY
- C. REAL PROPERTY TAX
- D. COUNTY AUDITOR
- E. COUNTY PURCHASING
- E. LAND BANK

No. 2 - PUBLIC SAFETY COMMITTEE

TONY VERNO
RICHARD VAN LAEKEN
MICHAEL DONALTY
JODY BENDER
KEN MILLER

- A. SHERIFF
 - STOP DWI
- B. PROBATION
- C. DISTRICT ATTORNEY
 - ANIMAL ABUSE INVESTIGATIONS
 - GRAND JURY
 - CRIME VICTIMS' BOARD
- D. PUBLIC DEFENDER
- E. LEGAL DEFENSE OF INDIGENTS
- F. EMERGENCY MANAGEMENT SERVICES
 - E-911
 - ALS
 - EMERGENCY. MED. SERVICES
 - MUTUAL AID
- G. CORONER
- H. PRE-TRIAL SERVICES
- I. JUSTICE COURT

No. 3 - PUBLIC WORKS COMMITTEE

LYNN CHATFIELD
MIKE KOLCZYNSKI
TONY VERNO
TOM METTLER
JAMES BRADY

- A. HIGHWAY
 - MACHINERY
 - CENTRAL GARAGE
- B. BUILDINGS & GROUNDS
- C. CONSUMER AFFAIRS
- D. SOIL AND WATER CONSERVATION DISTRICT

No. 4 - ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

SCOTT JOHNSON
STEVE GROAT
LYNN CHATFIELD
FRANK ROBUSTO
RICHARD LASHER

- A. ECONOMIC DEVELOPMENT & PLANNING
 - INDUSTRIAL DEVELOPMENT SITE
 - JOINT MUNICIPAL PROJECTS
 - AGRICULTURAL DISTRICTS
- B. TOURISM
 - PUBLICITY
- C. BUS OPERATIONS
- D. COOPERATIVE EXTENSION
- E. PALMYRA UNION AG. SOCIETY
- F. FISH AND GAME

No. 5 - GOVERNMENT OPERATIONS COMMITTEE

RICHARD LASHER

MICHAEL DONALTY

MIKE KOLCZYNSKI

LYNN CHATFIELD

KEN MILLER

- A. LEGISLATIVE BOARD
 - RULES OF ORDER
 - INTER-MUNICIPAL
 - REAPPOINTMENTS
 - COUNTY ADMIN.
- B. CLERK OF THE BOARD
 - COURT HOUSE COPIER
 - UNDISTRIBUTED POSTAGE
 - COUNTY OFFICER DUES
- C. COUNTY CLERK
 - HISTORIAN
- D. COUNTY ATTORNEY
- E. BOARD OF ELECTIONS
- F. HUMAN RESOURCES
 - CIVIL SERVICE
 - SALARIES AND BENEFITS
 - WORKERS' COMPENSATION
 - EMPLOYEE RELATIONS
 - UNION NEGOTIATIONS
 - STAFF DEVELOPMENT
 - EDUCATION AND TRAINING
 - EMPLOYEE SAFETY
 - HANDICAP ACCESS
 - AFFIRMATIVE ACTION
 - NEW POSITION RE-CLASSIFICATION
 - CAFETERIA PLAN
- G. COMPLIANCE

**No. 6 - HEALTH AND
MEDICAL SERVICES COMMITTEE**

FRANK ROBUSTO

STEVE GROAT

JODY BENDER

JAMES BRADY

KEN MILLER

- A. NURSING HOME
- B. PUBLIC HEALTH
- C. MENTAL HEALTH

**No. 7 - HUMAN SERVICES
COMMITTEE**

MICHAEL DONALTY

KIM LEONARD

SCOTT JOHNSON

TONY VERO

TOM METTLER

- A. SOCIAL SERVICES
- B. AGING AND YOUTH
- C. WORKFORCE DEVELOPMENT
- D. VETERANS' SERVICES
- E. WAYNE COUNTY ACTION PROGRAM

The required paperwork was submitted by Majority Leader Jody Bender and on file with the Clerk of the Board for the 2023 Newspaper Designations for the Republican Party and the Clerk read the designation, as follows:

NEWSPAPER DESIGNATION - PRIMARY

We, the undersigned members of the Board of Supervisors of the County of Wayne, do hereby designate The Times of Wayne County, a weekly newspaper published in Macedon, New York, to publish the concurrent resolutions of the Legislature for the year 2023.

We also designate The Times of Wayne County, a weekly newspaper published in Macedon, New York, to publish the official canvass.

We also designate The Times of Wayne County, a weekly newspaper published in Macedon, New York, to publish the election notices issued by the Secretary of State.

Richard VanLaeken, Town of Arcadia
 Tom Mettler, Town of Butler
 Steven Groat, Town of Galen
 Philip Eygnor, Town of Huron
 James Brady, Town of Lyons
 Kim V. Leonard, Town of Macedon
 Jolene Bender, Town of Marion
 Frank Robusto, Town of Ontario
 Kenneth Miller, Town of Palmyra
 Richard Lasher, Town of Rose
 Michael Kolczynski, Town of Savannah
 Scott Johnson, Town of Sodus
 Michael Donalty, Town of Walworth
 Anthony Verno, Town of Williamson
 Lynn Chatfield, Town of Wolcott
 Dated: January 3, 2023

The required paperwork is on file with the Clerk of the Board for the 2023 Newspaper Designations and was publicly read, as follows:

NEWSPAPER DESIGNATION - SECONDARY

We, the undersigned members of the Board of Supervisors of the County of Wayne hereby designate the Lakeshore News, a weekly newspaper published in Wolcott, New York, to publish the concurrent resolutions of the Legislature for the year 2023.

We, also designate the Lakeshore News, a weekly newspaper published in Wolcott, New York, to publish the official canvass.

We, also designate Lakeshore News, a weekly newspaper published in Wolcott, New York, to publish the election notices issued by the Secretary of State.

Richard VanLaeken, Town of Arcadia
 Tom Mettler, Town of Butler
 Steven Groat, Town of Galen
 Philip Eygnor, Town of Huron
 James Brady, Town of Lyons
 Kim V. Leonard, Town of Macedon
 Jolene Bender, Town of Marion

Frank Robusto, Town of Ontario
Kenneth Miller, Town of Palmyra
Richard Lasher, Town of Rose
Michael Kolczynski, Town of Savannah
Scott Johnson, Town of Sodus
Michael Donalty, Town of Walworth
Anthony Verno, Town of Williamson
Lynn Chatfield, Town of Wolcott
Dated: January 3, 2023

OTHER BUSINESS:

Chairman Eygnor requested for a two-thirds vote to put eleven (11) resolutions for Other Business on the floor for this morning's session.

Mrs. Leonard moved, seconded by Mr. Brady that said resolutions be allowed on the floor. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Verno. Motion carried.

RESOLUTION 01-23 AUTHORIZATION TO ADOPT THE RULES OF ORDER FOR THE YEAR 2023

Mr. Lasher presented the following:

RESOLVED, that the following Rules of Order of the Wayne County Board of Supervisors as presented are hereby adopted as the Rules of Order for the Year 2023:

**WAYNE COUNTY BOARD OF SUPERVISORS
RULES OF ORDER – 2023**

RULE 1. Organizational Meeting

The organizational meeting of the Board shall be held on or before January 8th in each year. Written notice of the time and date of this meeting shall be mailed to all Supervisors by the Clerk of the Board at least 48 hours in advance of the meeting. The Clerk shall call the meeting to order and the first order of business shall be to conduct the election of a permanent Chairperson for the ensuing year.

The Chairperson of the Board shall appoint from among the members of the Board a Vice Chairperson to serve at his or her pleasure who, in the absence or inability to act of the Chairperson, shall possess all powers and perform all the duties of the Chairperson of the Board. A vacancy in the Office of Chairperson of the Board shall be filled in accordance with County Law Section 151.

The Board, under the Chairperson, shall then proceed with:

- a) The adoption of a time and date for regularly scheduled meetings.
- b) The election or appointment of the Clerk, Deputy Clerk, Budget Officer of the Board, County Attorney, and any other elective or appointive officers required by law or desired by the Board.
- c) The adoption of the Rules of Order for the ensuing year.
- d) Other matters that the Chairperson wishes to bring before the meeting.

RULE 2. Regular Meetings:

Regular meetings of the Board shall be held on the third Tuesday of each month beginning at 9:00 a.m. For the public hearing and possible vote on the County budget, this meeting shall be held on the first Tuesday in December at 7:00 p.m., unless amended by a majority of the Board of Supervisors.

RULE 3. Special Meetings:

Special meetings shall be held at the call of the Clerk upon direction of the Chairperson or upon written request signed by a majority vote of the Board and eight concurring supervisors. A notice in writing stating the time, place and purpose of the special meeting shall be served personally, by mail, by email or by phone upon each member of the Board by the Clerk at least

48 hours before the date and time fixed for holding the meeting; however, in lieu of this the Chairperson at a regular meeting may announce the time, place and purpose of an adjourned meeting and if the majority of the Board approves it, the adjourned meeting shall be held at the appointed time and place without written notification; and further in the event the Chairperson, or in his/her absence or unavailability the Vice Chairperson, determines that there exists an emergency situation posing imminent danger of loss of life or property, or if such emergency situation is determined to exist by written declaration signed or approved by a majority vote of the Board and eight concurring Supervisors, then the Chairperson shall cause a Special Meeting to be held upon such public notice as shall be reasonable under the circumstances.

RULE 4. Place of Meetings:

All meetings, shall be held in the Supervisors' Chambers, Wayne County Court House, 26 Church Street, Lyons, New York, except that any meeting can be adjourned and reconvened at another location.

RULE 5. Quorum:

Members present possessing more than 50% of the total weighted vote shall constitute a quorum for the transaction of business. If a quorum is not present within 45 minutes after the time set for the start of the meeting, the members present shall adjourn.

RULE 6. Presence of County Attorney:

The County Attorney shall be present during all meetings unless excused by the Chairperson.

RULE 7. Temporary Chairperson:

The Vice Chairperson will serve as acting Chairperson in the absence of the Chairperson at any meeting of the Board of Supervisors. The acting Chairperson shall have and exercise all the powers and duties of the Chairperson at the meeting over which they are called to preside.

RULE 8. Order of Business:

The normal order of business at each session shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Roll Call
5. Approval of Minutes
6. Communications
7. Unfinished Business
8. Privilege of the Floor
9. Reports of Standing Committees
10. Reports of Special Committees
11. Resolutions
12. Adjournment

RULE 9. Roll Call:

On roll call, the Clerk shall record by name all members present or absent; shall further record the arrival of any member listed as absent; and the departure of any member listed as present during the course of each meeting.

Any member desiring permanent departure from the meeting prior to the adjournment shall request permission to be excused from the Chairperson.

RULE 10. Approval of Minutes of Previous Meeting:

Minutes of previous meeting shall be read unless waived by the Board by a motion duly made, seconded and adopted.

RULE 11. Communications:

The Clerk shall read petitions, notices, departmental reports and other communications and the

Chair shall take the appropriate action; however, the Chairperson may permit the reading of the communications be waived by the Board by a motion duly made, seconded and adopted.

RULE 12. Resolutions and Motions:

Any member may offer a resolution or motion which shall be acted on promptly subject to these rules.

The term resolution as herein used shall mean a formal proposed action in writing. Every appropriation requiring expenditure of funds shall be by resolution. Every resolution shall contain a short title setting forth the purpose of the proposed action. All resolutions shall be filed with the Clerk no later than four days prior to the date of the meeting at which the resolutions are to be presented. All Department Heads will file resolutions and committee agendas with the County Administrator at least one week prior to their standing committee date. The County Administrator shall refer each resolution originated by a Department Head or Agency to the Standing Committee having jurisdiction over any of the subject matter of the resolution. Referrals will be made by the Standing Committee to all Board committees which have an interest in the issue. The Standing Committee shall promptly act on each resolution referred by the County Administrator and shall submit its report or recommendation on the resolution at the next regular meeting of the Board of Supervisors following such referral. Any changes to the intent, meaning or financial features of a proposed resolution will be referred to the Chairperson of the Standing Committee by the committee meeting secretary prior to inclusion of the matter in the Board of Supervisors agenda.

In the event a Standing Committee does not submit its report or recommendation at the next regular meeting of the Board of Supervisors, the Board may act on the resolution without further committee consideration and without committee report or recommendation.

Upon the request of any member, any amendment to a resolution shall be reduced to writing.

Resolutions or referrals which are not acted upon before the end of the calendar year do not continue into the next calendar year.

RULE 13. Rules of Debate:

When a question is under debate, the procedure and rules of debate shall be governed by Robert's Rules of Order relative to precedence of motions as follows:

A Fix the Time at Which to Adjourn:

(requires second, not debatable, may be amended and requires a majority).

B Adjourn:

(requires second, not debatable, may not be amended and requires a majority).

C Recess:

(requires second, not debatable, may be amended and requires a majority).

D Suspend Rules:

(requires second, not debatable, may not be amended and requires a 2/3 vote without previous notice)

E Lay on the Table:

After a motion is stated and it is in the possession of the Board it may be laid on the table until requested to come back before the Board (may be amended and requires a majority).

F Previous Question:

(requires second, not debatable, may not be amended and requires a 2/3 vote).

G Limit or Extend Limits of Debate:

(requires second, not debatable, may be amended, and requires a 2/3 vote).

H Postpone:

The object is to set a time when a matter must be considered (requires second, debatable, may be amended and requires a majority).

I Refer:

(requires second, debatable, may be amended and requires a majority).

J Hold a Motion:

After a motion is stated and it is in possession of the Board, before discussion or amendment, it may be held until the next meeting day if requested by any member of the Board provided such request is made on his/her first recognition by the Chairperson, but only one such request shall be granted on only one motion with 2/3 vote.

K Amend:

(requires second, debatable, may be amended and requires a majority).

L Postpone Indefinitely:

The object is to kill a local law, resolution, or motion (requires second, debatable, may not be amended and requires a majority).

M Withdraw:

The maker of a local law, motion, or resolution has the right to request a "Withdraw" at any time. If there is an objection to the request to withdraw, a vote of the Board shall be taken and requires a majority vote to pass.

N Take From Table:

Must be "Taken from Table" after tabling motion was made (requires second, not debatable, may not be amended and requires a majority).

O Reconsider:

To bring up a question for discussion and obtain a new vote. Only one who voted with prevailing side can make this motion, but anybody can second; can only be made on same day (requires second, debatable, may not be amended and requires a 2/3 vote).

P Rescind:

To annul some action, no matter how old, except where action has been taken that cannot be undone. Rescind a motion any time can be moved by anyone; requires a second, except "to give notice." If "Notice" of the motion to be proposed was given at a previous meeting or pre-filed for this meeting, a majority vote will carry. No "Notice" given requires two-thirds vote to carry (requires second, debatable, may be amended and requires a 2/3 vote without previous notice).

Q Renew:

Used to reintroduce a local law, resolution, or motion again at a future session. Can be made and seconded by any Legislator (requires second, debatable, may be amended and requires a 2/3 vote without previous notice).

RULE 14. Resolutions, Filing Deadline:

No resolution shall be offered unless it first has been reviewed by the County Administrator and filed with the Clerk of the Board by noon of the fourth working day prior to and not including the day of the meeting at which it is offered. Any resolution which has been filed in accordance with this rule may be offered by any member of the Board at the next scheduled Board meeting. This rule shall not apply to special meetings of the Board under Rule 3, nor to the Organizational Meeting of the subsequent year, under Rule 1. Any resolution filed with the Clerk of the Board pursuant to this section shall be listed on the agenda under the following title: Rule 14. Resolutions.

RULE 15. All Committees:

Standing or special committees, shall as promptly as possible report to the Board upon such

resolutions, communications or other matters as may be referred to them.

RULE 16. Unfinished Business:

All reports, resolutions and other matters laid on the table may be called there from under "Unfinished Business" in the regular order of business. All questions laid over by rule, or by request of any member for one day shall be considered in order on the succeeding day, or at the next session, under the heading of "Unfinished Business".

A list of unfinished business and special orders to be acted upon by the Board shall be kept by the Clerk and listed in the agenda.

A motion to lay a question on the table shall be decided without amendment or debate and a motion to postpone the question indefinitely or to adjourn to a day certain until it is decided, shall preclude all amendments to the main question. All reports, resolutions and other matters laid on the table may be called there by any Board member with approval or a majority vote of the Board.

A motion or a motion for adopting a resolution may be placed on the table by a majority vote and a majority vote will be necessary to take it off the table.

RULE 17. Agenda:

The Clerk shall prepare a statement of the order of business for each meeting of the Board which shall also contain the title and author of each resolution to be presented together with the number to be assigned thereto. The order of business shall be emailed to each Supervisor no later than five (5) calendar days prior to the date of the meeting. Any resolution not set forth in the order of business shall be tabled by the Chairperson until the next meeting of the Board, unless upon motion regularly made, the members present by two-thirds vote authorize the consideration of such resolution. These resolutions shall be referred to as Other Business (OB).

RULE 18. Amendments:

These rules of order shall be amended only by a two thirds vote of the Board and only after a ten days' notice, which notice shall be in writing and be filed with the Clerk and shall specify the particulars of such proposed amendments. Notice shall be given to members of the Board by the Clerk as directed by Committee No. 5.

RULE 19. Suspension of Rules:

Any rule may be suspended by the 2/3 vote of the members present, but the suspension of such rule shall apply only to those matters which shall be before the Board at the time of such suspension.

RULE 20. Addressing the Board:

Before speaking, a member shall request recognition by the Board Chair. Upon being recognized, the member shall rise and address the Chair. While a member is speaking, no member shall entertain any private discourse, or pass between him and the Chair. When the Board Chair is putting a question, no member shall walk about or out of the room.

No member shall speak on any question without first raising his or her hand, and upon being recognized by the Board Chair may proceed. When two or more members raise their hands at the same time the Chair shall name the member who shall speak first.

RULE 21. Call to Order:

A member called to order shall immediately sit down unless permitted to explain. If an appeal be taken from the decision of the chair, the Board shall decide the case without debate and the question shall be stated by the chair to be "Shall the decision of the chair stand as the judgment of the Board?"

RULE 22. Voting Requirement:

Every member present when a motion is stated from the chair shall vote thereon, unless excused by the Chairperson, or unless the Supervisor is directly interested in the motion, in which case, if the Supervisor chooses, the Supervisor may be excused from voting. Every member requested to be excused from voting may make a brief and verbal statement of the reason for their request. The Chairperson in all cases has the right to vote and when the vote is equally divided, including the Chairperson's vote, the question shall be lost.

RULE 23. Required Ayes and Nays: (LONG ROLL)

Taking into consideration Rule 32, hereafter, at the Chairperson's discretion with the Boards' consent, the ayes and nays shall be taken by vote on any resolution appropriating money, levying taxes, confirming reports of committees and making appointments and fixing salaries and upon any other motion or resolution when demanded by any member of the Board.

RULE 24. The Order of Rules:

When a question is under debate, no motion shall be entertained unless for adjournment of the Board, for the previous question, to place on table indefinitely, to place on table for a certain day, to hold, to amend it, or refer back to committee. These several motions shall have precedence in the order in which they are here stated and shall not be subject to debate.

RULE 25. Several Propositions:

If the question in debate contains several distinct propositions, the same may be divided by the Chairperson at the request of any member to the end that a vote may be taken on each proposition.

RULE 26. Privilege of the Floor:

Privilege of the floor for members of the public other than members of the Board of Supervisors shall extend to any person appearing for him/herself in which case each individuals appearing shall be limited to three minutes; and to persons representing any group in which case there shall be allowed only one spokesman for the group, who shall be limited to a maximum time of five minutes. Any person requesting this privilege shall be limited to subject matter appearing on the agenda. All speakers must sign up with the Clerk at least 15 minutes before the starting time of the Board meeting. The total amount of time allowed for Privilege of the Floor at a Board meeting will be limited to 30 minutes. The Chairperson of the Board shall have the authority to place additional time limits on how long individuals may speak.

RULE 27. Motion to Reconsider:

No motion for reconsideration shall be in order unless made on the same day, on which the decision proposed to be reconsidered took place. A motion to reconsider must be made by a member who voted with the majority on the decision of the motion or resolution proposed to be reconsidered. When a motion to reconsider has been defeated, it shall not again be submitted to the Board.

RULE 28. Motion to Rescind:

A motion to rescind can only be entertained when moved by a member who voted with the majority in the action which is proposed to rescind, and requires the affirmative vote of a majority of the total members of the Board.

RULE 29. Weighted Voting:

Until such time as the apportionment of the weighted vote of members of the Board is revised, it is as follows:

	<u>Majority</u>	<u>2/3</u>
Arcadia	29	29
Butler	4	4
Galen	10	10
Huron	4	4
Lyons	13	13
Macedon	20	20

Marion	10	10
Ontario	23	23
Palmyra	16	16
Rose	5	5
Savannah	4	4
Sodus	18	18
Walworth	20	20
Williamson	15	15
Wolcott	9	9
	200	200

Whenever in these rules of order there is reference to a majority vote or a 2/3 vote of the Board, it means a majority of the weighted vote of the members of the Board or 2/3 of the weighted vote of the Board. A total of 101 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a simple majority vote. A total of 134 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a 2/3 majority vote. Votes requiring 2/3 majority are: Sale of real property; Overriding the New York State Tax Cap; Creating a new employment position; Appointment of a new person to fill an employment position defined by a term of office; Adopting the Rules of Order, as well as any amendments to the Rules of Order; Incurring long term financial obligations for Wayne County; Placing an OB on the floor; and any place noted in Rule 14 when 2/3 vote is required. Reappointments to positions defined by a term of office shall be made by majority vote of the full board. The above weighted voting system is based upon the official United States Census for 2020.

RULE 30. Committee Vote and Records:

Because committee reports and recommendations are not binding, Standing Committees shall not use a weighted vote in committee recommendations, however, any member of the Board in compliance with Rule 14 may offer a motion or resolution regarding any matter referred to Committee with or without the benefit of the Committee's report or recommendation. The Standing Committee shall report to the full Board the names of members in favor of or opposed to any measure which is not unanimous. If there is dissent in committee, a member of the dissenting group may present a report of the minority to the Board. Each committee shall take attendance and keep summary minutes of business transacted, said minutes to be turned over to the Clerk for record.

Any member of the public wishing to address a Committee shall give three business days prior notice to the County Administrator, said notice shall consist of the person's name, address and the subject matter that they wish to discuss. The County Administrator shall then determine the appropriate standing committee and discuss with the Committee chairman and the Chairman of the Board of Supervisors, adding said member of the public to said committee agenda. The County Administrator shall notify members of the public whether they have been added to a committee's agenda prior to the committee meeting. Individuals appearing before a committee shall be limited to a five minutes presentation. If more than one person represents any group, there shall be allowed only one spokesperson for the group.

RULE 31. Order of Voting:

The Clerk shall maintain a record of order of voting by roll call and the first call for a vote on motions and resolutions shall be rotated in alphabetical order by towns.

RULE 32. Short Roll Call:

In conjunction with Rule 23, the Chairperson may ask for a short roll call on a matter having no controversy or debate, and hearing no objection, the Clerk may ask for the vote of the Supervisors from Arcadia and Wolcott, or first and last towns alphabetically present at meeting, and if their vote is in agreement the vote will be recorded as unanimous. If there is disagreement, there shall be a full roll call.

RULE 33. Standing Committees:

The Chairman of the Board shall appoint the Standing Committees within ten days from the date of organization in January and file a list of the same with the Clerk. The Chairperson may make temporary appointments to fill vacancies on any committee caused by the resignation or death of a member. In case of the absence of the Chairperson of any committee at any meeting, the second named member on the committee list shall act as temporary Chairperson.

The County Administrator and standing committees shall hold meetings with department heads and shall recommend purchases and be generally responsible to the Board for the orderly operation of the affairs under the committee. The committee not only has the power of making recommendations to the Board but shall make recommendations on all committee matters.

Any direct costs incurred by a member in performing the duties of a committee and mileage expenses to and from meetings shall be reimbursed to him/her by the county.

Committee No. 1
FINANCE COMMITTEE 5 Members

- A. COUNTY TREASURER
 - TAX ADVERTISING
 - CONTINGENCY FUND PROJECTS
 - COMMUNITY COLLEGE
 - LIABILITY & CASUALTY RESERVE FUND
 - UNCOLLECTED INSURANCE
 - JUDGMENT & CLAIMS
 - EXPENSES ON ACQUIRED PROPERTY
 - HOSPITAL & MEDICAL INSURANCE
 - SERIAL BOND
- B. INFORMATION TECHNOLOGY
- C. REAL PROPERTY TAX
- D. COUNTY AUDITOR
- E. COUNTY PURCHASING

Committee No. 2
PUBLIC SAFETY COMMITTEE 5 Members

- A. SHERIFF
 - STOP DWI
- B. PROBATION
- C. DISTRICT ATTORNEY
 - ANIMAL ABUSE INVESTIGATIONS
 - GRAND JURY
 - CRIME VICTIMS' BOARD
- D. PUBLIC DEFENDER
- E. LEGAL DEFENSE OF INDIGENTS
- F. EMERGENCY MANAGEMENT SERVICES
 - E-911
 - ALS
 - EMERGENCY MEDICAL SERVICES
 - MUTUAL AID
 - PUBLIC SAFETY COMMUNICATIONS
 - EMERGENCY MANAGEMENT
- G. CORONER
- H. PRE-TRIAL SERVICES
- I. JUSTICE COURT

Committee No. 3
PUBLIC WORKS COMMITTEE 5 Members

- A. HIGHWAY
 - MACHINERY
 - CENTRAL GARAGE
- B. BUILDINGS & GROUNDS
 - PARKS & TRAILS
- C. CONSUMER AFFAIRS (WEIGHTS & MEASURES)
- D. SOIL AND WATER CONSERVATION

Committee No. 4

ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE 5 Members

- A. COUNTY PLANNING DEPARTMENT
 - COUNTY & MUNICIPAL PLANNING
 - COUNTY PLANNING BOARD
 - AGRICULTURAL DISTRICT MANAGEMENT
- INDUSTRIAL DEVELOPMENT AGENCY
- WAYNE ECONOMIC DEVELOPMENT CORPORATION
- CIVIC FACILITIES DEVELOPMENT CORPORATION
- C. TOURISM
 - PUBLICITY
- D. BUS OPERATIONS
- E. COOPERATIVE EXTENSION
- F. PALMYRA UNION AG. SOCIETY
- G. FISH AND GAME

Committee No. 5

GOVERNMENT OPERATIONS COMMITTEE 5 Members

- A. LEGISLATIVE BOARD
 - RULES OF ORDER
 - INTER-MUNICIPAL
 - RE-APPOINTMENTS
 - COUNTY ADMINISTRATOR
 - GEOGRAPHIC INFORMATION SYSTEM (GIS)
- B. CLERK OF THE BOARD
 - FREEDOM OF INFORMATION
 - COURT HOUSE COPIER
 - UNDISTRIBUTED POSTAGE
 - COUNTY OFFICER DUES
- C. COUNTY CLERK
 - HISTORIAN
- D. COUNTY ATTORNEY
- E. BOARD OF ELECTIONS
- F. HUMAN RESOURCES
 - CIVIL SERVICE
 - EMPLOYEE RELATIONS
 - NEW POSITION RE-CLASSIFICATION
 - CAFETERIA PLAN
 - PAYROLL
- G. COMPLIANCE

Committee No. 6

HEALTH AND MEDICAL SERVICES COMMITTEE 5 Members

- A. NURSING HOME
- B. PUBLIC HEALTH

C. MENTAL HEALTH

Committee No. 7

HUMAN SERVICES COMMITTEE 5 Members

- A. SOCIAL SERVICES
 - WORKFORCE DEVELOPMENT
- B. AGING AND YOUTH
 - OFFICE OF THE AGING
 - RECREATION
 - YOUTH BUREAU
- C. VETERANS' SERVICES
- D. WAYNE COUNTY ACTION PROGRAM

RULE 34. Special Committees/Advisory Groups

Special Committees may be authorized at any legal meeting of the Board. They shall, unless otherwise ordered or directed by a majority of the Board, be appointed by the Chairman of the Board. The period of time that a special committee shall serve shall be designated when it is created. Any person appointed to a special committee shall be notified in writing of such appointment.

RULE 35. Committee Meetings:

A meeting of a committee may be called by a majority of the committee. No committee shall meet without the committee Chairperson causing the members of the committee to be notified and a majority of the members must be present to act. Notice of Special committee meetings, not regularly scheduled, shall be made to each committee member by email or telephone contact at the number designated by each committee member for that purpose. Notice of emergency committee meetings shall be given in accordance with the procedures set forth in RULE 3, including the provisions made therein for the conduct of Emergency Meetings.

RULE 36. Committee of the Whole

The Chairperson may call a meeting of the Board of Supervisors at such times as deemed necessary and appropriate to discuss items of general concern or items referred by a Standing Committee. The agenda for the Committee of the Whole meetings shall be prepared by the Chair with the assistance of the Clerk of the Board or Deputy Clerk and shall be emailed to each Board Member at least three (3) working days prior to the meeting.

RULE 37. Executive Session:

On motion of any member duly seconded and carried by a majority vote, the Board shall go into executive session, presided over by the Chairperson of the Board, during which time any matters permitted under the New York State Open Meetings Law may be discussed and debated. Only members of the Board shall participate in the executive session and such other persons may be called into the session as may be necessary.

1. matters which will imperil the public safety if disclosed;
2. any matter which may disclose the identity of a law enforcement agency or informer;
3. information relating to the current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
4. discussions regarding proposed, pending or current litigation;

5. collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law);
6. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
7. the preparation, grading or administration of examinations;
8. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

RULE 38. Minutes:

The minutes of the Board shall be printed monthly and delivered by the Clerk of the Board on or before the regular meeting of the Board for the next succeeding month.

RULE 39. Parliamentary Law:

All questions not covered by these rules shall be decided according to Robert's Rules of Order.

RULE 40. Adopted Rules of Order:

Said adopted rules shall control until permanent Chairperson seated and new rules of order are adopted.

RULE 41. Videoconferencing:

The extent authorized by New York State law and by Executive Orders, Board and Committee meetings may be conducted via Videoconferencing using a platform approved by the County. This policy shall apply only during the aforementioned authorized periods and shall end upon order of the Chairman of the Board or as required by New York State Law. This policy shall not be precedential for any other time periods.

RULE 42. Conflict of Interest:

A real or perceived incompatibility between one's private interests and one's public or fiduciary duty is prohibited. The provisions of the New York State General Municipal Law Article 18 referencing Conflicts of Interest of Municipal Officers and Employees and the provisions of the Wayne County Ethics Policy are specifically incorporated herein and make a part hereof by reference.

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

RESOLUTION 02-23: OFFICIAL NEWSPAPER DESIGNATIONS FOR 2023

Mr. Lasher presented the following:

RESOLVED, pursuant to Section 214(2) of the County Law, the Wayne County Board of Supervisors hereby designates **The Times of Wayne County**, published in Macedon, New York and **Lakeshore News**, published in Wolcott, New York, as official newspapers for the publications of all Local Laws and Notices and other matters as required by law to be published; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to all County Offices and Departments and each of the above-named newspapers.

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

RESOLUTION 03-23: AUTHORIZATION FOR CLERK TO PURCHASE SUPPLIES FOR THE BOARD OF SUPERVISORS FOR 2023

Mr. Lasher presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to purchase necessary stationery and supplies for the Board of Supervisors for the year 2023.

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

RESOLUTION 04-23: NAMING ENTITIES THAT ARE 2023 PARTICIPANTS IN THE WAYNE COUNTY SELF-INSURED WORKERS' COMPENSATION PLAN

Mr. Lasher presented the following:

WHEREAS, the towns, villages, and union free and central school districts within Wayne County may elect to participate in the Wayne County Self-Insured Workers' Compensation Plan in accordance with the local law governing the plan; and

WHEREAS, volunteer fire departments' and volunteer ambulance corps' participation in the plan is determined by the participation of the town in which the volunteer fire departments or volunteer ambulance corps are located; and

WHEREAS, volunteer fire departments and volunteer ambulance corps may not elect to enter or leave the plan as individual entities; now, therefore, be it

RESOLVED, that the following entities are 2023 participants in the Wayne County Self-Insured Workers' Compensation Plan:

Wayne County
Wayne County Soil and Water Conservation District

Towns of:	Villages of:
Arcadia	Clyde
Butler	Newark
Galen	Palmyra
Huron	Red Creek
Lyons	Sodus
Macedon	Sodus Point
Marion	Wolcott
Ontario	
Palmyra	
Rose	
Savannah	
Sodus	
Walworth	
Williamson	
Wolcott	

and be it further,

RESOLVED, that, as a result of town participation, volunteer members of the following fire departments and ambulance corps are also covered by the plan:

Volunteer Fire Departments:
Fairville Fire Department (Arcadia)
Marbletown Volunteer Fire Department (Arcadia)
Newark Volunteer Fire Department (Arcadia)
South Butler Fire Department (Butler)
Galen-Clyde Volunteer Fire District (Galen)
Lyons Fire Department (Lyons)
Macedon Center Fire Department (Macedon)

South Macedon Fire Department (Macedon)
Savannah Fire Company (Savannah)
Alton Fire Company (Sodus)
Sodus Fire Company (Sodus)
Sodus Center Fire Department (Sodus)
Wallington Fire Company (Sodus)
Lincoln Volunteer Fire Department (Walworth)
Walworth Fire Department (Walworth)
Marion Fire Department (Marion)
Ontario Fire Company (Ontario)
East Palmyra Fire Department (Palmyra)
Palmyra Fire Company (Palmyra)
North Rose Fire Department (Rose)
Rose Fire Company (Rose)
West Walworth Volunteer Fire Department (Walworth)
East Williamson Fire Department (Williamson)
Pultneyville Fire District (Williamson)
Williamson Fire Department (Williamson)
Red Creek Fire Company (Wolcott)
Wolcott Fire Department (Wolcott)

Volunteer Ambulance Corps:
Newark-Arcadia Volunteer Ambulance (Arcadia)
Town of Galen Ambulance (Galen)
Town of Lyons Ambulance (Lyons)
Town of Macedon Ambulance (Macedon)
Ontario Volunteer Emergency (Ontario)
Eastern Wayne Emergency Medical Services (Savannah)
Silver Waters Community Ambulance (Sodus)
Sodus Town Ambulance (Sodus)
Western Wayne Ambulance (Walworth)
Williamson Volunteer Ambulance (Williamson)
Lakeshore Volunteer Ambulance (Wolcott)

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

RESOLUTION 05-23: APPOINTMENT OF ELECTION COMMISSIONERS

Mr. Lasher presented the following:

WHEREAS, the terms of office for Mark Alquist and John Zornow, Election Commissioners, expired on December 31, 2022; and

WHEREAS, the Wayne County Republican Committee has recommended the reappointment of John Zornow and the Wayne County Democratic Committee has recommended the appointment of Gerald Clingerman; and

WHEREAS, the appropriate certificates of party recommendation have been received and filed with the Clerk of the Board of Supervisors in accordance with Section 3-204 of the Election Law; now, therefore be it

RESOLVED, pursuant to Sections 3-202 and 3-204 of the Election Law, that John Zornow and Gerald Clingerman are hereby appointed Election Commissioners for the Board of Elections of the County of Wayne for a two-year term of office commencing January 1, 2023 and ending December 31, 2024.

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

RESOLUTION NO. 06-23: ADOPTION OF INVESTMENT POLICY FOR THE COUNTY OF WAYNE FOR 2023

Mrs. Leonard presented the following:

INVESTMENT POLICY FOR THE COUNTY OF WAYNE

I. SCOPE:

This investment policy applies to all moneys and other financial resources available for deposit and investment by the County of Wayne on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the County of Wayne's investment activities are, in priority order:

- * To conform with all applicable federal, state and other legal requirements (legality);
- * To adequately safeguard principal (safety);
- * To provide sufficient liquidity to meet all operating requirements (liquidity); and
- * To obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY:

The governing board's responsibility for administration of the investment program is delegated to the County Treasurer, who shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

IV. PRUDENCE:

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County of Wayne to govern effectively.

Investments shall be made with prudence, diligence, skill, judgement and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION:

It is the policy of the County of Wayne to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

The governing board shall establish appropriate limits for the amount of investments which can be made with each financial institution or dealer, and shall evaluate this listing at least annually.

VI. INTERNAL CONTROLS:

It is the policy of the County of Wayne for all moneys collected by any officer or employee of the government to transfer those funds to the County Treasurer within 4 days of deposit, or within the time period specified in law, whichever is shorter.

The County Treasurer is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES:

The bank and trust companies that are authorized for the deposit of money, and the maximum amount which may be kept on deposit at any time, are:

<u>Depository Name</u>	<u>Maximum Amount</u>	<u>Controlling Officer</u>
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JP Morgan Chase	\$5,000,000	County Treasurer
Lyons National Bank	\$75,000,000	County Treasurer
NYCLASS	\$40,000,000	County Treasurer
NY MUNI Trust	\$40,000,000	County Treasurer
KeyBank	\$20,000,000	County Treasurer
Community Bank	\$10,000,000	County Treasurer
Canandaigua National Bank	\$5,000,000	County Treasurer
Lyons National Bank	\$5,000,000	County Clerk
Reliant	\$1,000,000	Sheriff
Lyons National Bank	\$500,000	Sheriff
Bank of America	\$100,000	County Treasurer
Lyons National Bank	\$20,000	District Attorney

Investments in trust through a custodial account shall not count towards the maximum limit above, as they are not deposits, but held in trust in the name of Wayne County. Such investments are not listed on the books of the bank as a deposit and are not used by the bank for any purpose.

VIII. SECURING DEPOSITS AND INVESTMENTS:

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, "deposits") made by officers of the County of Wayne that are in excess of the amount insured under the provision of the Federal Deposit Insurance Act, including pursuant to a Deposit Placement Program in accordance with law, shall be by a pledge of "eligible securities" with an aggregate "market value" (as provided by the GML Section 10) that is at least equal to the aggregate amount of deposits by the officers. See Schedule A of this policy for a listing of "eligible securities."

IX. COLLATERALIZATION AND SAFEKEEPING:

Eligible securities used for collateralizing deposits made by officers of Wayne County shall be held by (the depository and/or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities (or the pro rata portion of a pool of eligible securities) are being pledged to secure such deposits together with agreed-upon interest, if any, and any cost or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities (or pro rata portion of a pool of eligible securities) held may be sold, presented for payment, substituted or released and the events of default which will enable the local government to exercise its rights against the pledged securities.

In the event that the pledged securities are not registered or inscribed in the name of the County, such securities shall be delivered in a form suitable for transfer or with assignment in blank to the County or its custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by the federally regulated entity without physical delivery of the evidence of the obligation, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the local government in the securities (or the pro rata portion of a pool of eligible securities) as set forth in the security agreement.

The custodial agreement shall provide that securities (or the pro rata portion of a pool of eligible securities) will be held by the custodial bank or trust company as agent of, and custodian for, the County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing for any other deposit or other bank liability. The agreement should also describe how the custodian shall confirm the receipt, substitution or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the County with a perfected security interest in the eligible securities and to otherwise secure the

local government's interest in the collateral, and may contain other provisions that the governing board deems necessary.

X. PERMITTED INVESTMENTS:

As provided by General Municipal Law Section 11, the Wayne County Board of Supervisors authorizes the County Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

1. Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in New York State;
2. Through a Deposit Placement Program, certificates of deposit in one or more "banking institutions", as defined in Banking Law Section 9-r;
3. Obligations of the United States of America;
4. Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America;
5. Obligations of the State; With the approval of the State Comptroller, obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (i.e., Tax Anticipation Notes and Revenue Anticipation Notes) by any municipality, school district or district corporation in the State other than the County of Wayne;
6. General obligation bonds and notes of any state other than this state, provided that such bonds and notes receive the highest rating of at least one independent rating agency designated by the state comptroller.
7. Obligations of any corporation organized under the laws of any state in the United States maturing within two hundred seventy days, provided that such obligations receive the highest rating of two independent rating services designated by the state comptroller and that the issuer of such obligations has maintained such ratings on similar obligations during the preceding six months, provided, however, that the issuer of such obligations need not have received such rating during the prior six month period if such issuer has received the highest rating of two independent rating services designated by the state comptroller and is the successor or wholly-owned subsidiary of an issuer that has maintained such ratings on similar obligations during the preceding six month period or if the issuer is the product of a merger of two or more issuers, one of which has maintained such ratings on similar obligations during the preceding six month period, provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one corporation.
8. Bankers' acceptances maturing within two hundred seventy days which are eligible for purchase in the open market by federal reserve banks and which have been accepted by a bank or trust company which is organized under the laws of the United States or of any state thereof and which is a member of the federal reserve system and whose short-term obligations meet the criteria outlined in clause (7). Provided, however, that no more than two hundred fifty million dollars may be invested in such bankers' acceptances of any one bank or trust company;
or
9. Obligations of, or instruments issued by or fully guaranteed as to principal and interest by, any agency or instrumentality of the United States acting pursuant to a grant of authority from the Congress of the United States, including but not limited

to, any federal home loan bank or banks, the Tennessee valley authority, the federal national mortgage association, the federal home loan mortgage corporation and the United States postal service, provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one agency.

10. No-load money market mutual funds registered under the Securities Act of 1933, as amended, and operated in accordance with Rule 2a-7 of the Investment Company Act of 1940, as amended, provided that such funds are limited to investments in obligations issued or guaranteed by the United States of America or in obligations of agencies or instrumentalities of the United States of America where the payment of principal and interest are guaranteed by the United States of America (including contracts for the sale and repurchase of any such obligations) and are rated in the highest rating category by at least one nationally recognized statistical rating organization, provided, however, that no more than two hundred fifty million dollars may be invested in such funds.
11. Obligations of the County of Wayne, but only with any moneys in a reserve fund established pursuant to General Municipal Law 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the County within such times as the proceeds will be needed to meet expenditures for the purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the County within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such time as the proceeds will be needed to meet expenditures for which the moneys were obtained, and shall be secured as provided in Section VIII and IX herein.

Except as may otherwise be provided in a contract with bondholders or noteholders, any money of the County authorized to be invested may be commingled for investment purposes, provided that any investment commingled moneys shall be payable or redeemable at the option of the County within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS:

All financial institutions with which the County transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size and other factors that make the financial institution or the dealer capable and qualified to transact business with the County. The County Treasurer shall evaluate the financial position and maintain a listing of proposed depositories, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers.

The County Treasurer shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amounts of investments that can be made with each financial institution or dealer.

XII. PURCHASE OF INVESTMENTS:

The County Treasurer is authorized to contract for the purpose of investments:

1. Directly from an authorized trading partner.

2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the County of Wayne, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the County officer authorized to make the investment. All such transactions shall be confirmed in writing to the County by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10 (3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the County of Wayne, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become a part of the backing for any other deposits or other bank liabilities. The agreement shall also describe how the custodian shall confirm the receipt and release of securities. Such agreement shall include all provisions necessary to provide the local government's a perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the County with perfected interest in the securities.

The County Treasurer, where authorized, can direct the bank or trust company to register and hold evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for the deposit of any such evidences of investments with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidence of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

XIII. COURIER SERVICE:

The County Treasurer may, subject to the approval of the governing board by resolution, enter into a contract with a courier service for the purpose of causing the deposit of public funds with a bank or trust company. The courier service shall be required to obtain a surety bond for the full amount entrusted to the courier, payable to the County of Wayne and executed by an insurance company authorized to do business in the State of New York, with a claims-paying ability that is rated in the highest rating category by at least two nationally recognized statistical rating organizations, to insure against any loss of public deposits entrusted to the courier service for deposit or failure to deposit the full amount entrusted to the courier service.

The County may agree with the depository bank or trust company that the bank or trust company will reimburse all or part of, but not more than, the actual cost incurred by the County in transporting items for deposit through a courier service. Any such reimbursement agreement shall apply only to a specified deposit transaction, and may be subject to such terms, conditions and limitations as the bank or trust company deems necessary to ensure sound banking practices, including, but not limited to, any terms, conditions or limitations that may be required by the Department of Financial Services or other federal or State authority.

XIV. ANNUAL REVIEW AND AMENDMENTS:

The County of Wayne shall review this investment policy annually, and it shall have the power to amend this policy at any time.

SCHEDULE A

Schedule of Eligible Securities for Collateralizing Deposits and Investments in Excess of FDIC Coverage (see Investment Policy, Section VIII)

“Eligible Securities” for Collateral	For purposes of determining aggregate “market value”, eligible securities shall be valued at these percentages of “market value”:
(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government-sponsored corporation.	100%
(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, The Asian Development Bank, and the African Development Bank.	100%
(iii) Obligations issued or fully insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.	100%
(iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of this State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public money.	100%
(v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organizations.	100% if rated in the highest category; 90% for 2 nd highest; 80% for 3 rd highest.
(vi) Obligations of counties, cities, and other government entities of another state having power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in of the three highest rating categories by at least one nationally recognized statistical rating organizations	100% if rated in the highest category; 90% for 2 nd highest; 80% for 3 rd highest.

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

RESOLUTION 07-23: AUTHORIZATION FOR COUNTY TREASURER TO TRANSFER GENERAL FUND CASH TO ALL FUNDS WHEN REQUIRED

Mrs. Leonard presented the following:

WHEREAS, the County has in the past, authorized the transfer of General Fund cash to other Funds in the County on an as needed basis; and

WHEREAS, the County is desirous of continuing this procedure during 2023 when required; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the County Treasurer to transfer cash from the General Fund to other Funds on an as needed, temporary basis; and be it further

RESOLVED, that any transfer is only temporary and must be returned to the General Fund before the end of the fiscal year; and be it further

RESOLVED, that the County Treasurer is hereby directed to inform the County Administrator of a required transfer prior to the transfer being made and report said transfers to the Finance Committee at its next regular committee meeting after the transfer is made.

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

RESOLUTION 08-23: SETTING DATE FOR PUBLIC HEARING ON AMENDING REVISED SCHEDULE OF INCOME ELIGIBILITY LEVELS FOR THE COUNTY REAL PROPERTY TAX EXEMPTION FOR PERSONS SIXTY-FIVE YEARS OF AGE OR OLDER

Mrs. Leonard presented the following:

WHEREAS, Section 467 of the Real Property Tax Law affords persons sixty-five years of age or older a tax exemption based on income eligibility; and

WHEREAS, the County last amended the income eligibility sliding scale on November 15, 2022, Resolution 575-22; and

WHEREAS, the sliding scale income limits were incorrectly presented; and

WHEREAS, the amended, recommended update to the income eligibility limits is as follows;

Annual Income Range	Exemption Percentage
\$16,100 or less	50% exemption
More than \$16,100.01 but less than \$17,099.99	45% exemption
\$17,100 or more, but less than \$18,099.99	40% exemption
\$18,100 or more, but less than \$19,099.99	35% exemption
\$19,100 or more, but less than \$19,999.99	30% exemption
\$20,000 or more, but less than \$20,899.99	25% exemption
\$20,900 or more, but less than \$21,799.99	20% exemption
\$21,800 or more, but less than \$22,699.99	15% exemption
\$22,700 or more, but less than \$23,599.99	10% exemption
\$23,600 or more, but less than \$24,499.99	5% exemption

RESOLVED, that the Board of Supervisors hereby will conduct a hearing to amend Resolution 575-22 and the income eligibility sliding scale; and be it further

RESOLVED, that the hearing be set for January 17, 2023 at 9:05 A.M. at the Wayne County Public Safety Building, 7336 Route 31., Suite 2000, Emergency Management Division, Operations Room, 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. Bender. Upon roll call, adopted.

RESOLUTION 09-23: SETTING DATE FOR PUBLIC HEARING ON A LOCAL LAW TO PROVIDE A PARTIAL EXEMPTION FROM COUNTY REAL PROPERTY TAXES TO QUALIFIED RESIDENT-APPLICANTS WHO ARE DISABLED IN CONFORMITY WITH SECTION 459-C OF THE NYS REAL PROPERTY TAX LAW AND AMENDING ANNUAL INCOME LIMITS

Mrs. Leonard presented the following:

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on Tuesday, January 17, 2023 at 9:10 a.m. at the Wayne County Public Safety Building, 7336 Route 31, Suite 2000, Emergency Management Division, Operations Room, Lyons, New York; on the following proposed local law:

COUNTY OF WAYNE STATE OF NEW YORK

A local law amending Local Law No. 6-2022 to provide a partial exemption from county real property taxes to qualified resident-applicants who are disabled

in conformity with Section 459-c of the NYS Real Property Tax Law and amending annual income limits

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

Section 1: Legislative Intent

The purpose of this local law is to provide partial relief from county real property taxes to qualified resident-applicants who are disabled. It is intended to accomplish this purpose in conformity with NYS Real Property Law Section 459-c, as amended.

Section 2: Legislative Authority

This local law is enacted pursuant to Section 459-c of the Real Property Tax Law.

Section 3: Partial Real Property Tax Exemption.

a. Real property owned by one or more persons with disabilities, or real property owned by husband and wife, or both, or by siblings, at least one of whom has a disability or real property owned by one or more persons, some of whom qualify under this local law and Section 467 of the Real Property Tax Law and whose income, as hereafter defined, is limited by reason of such disability, shall be partially exempt from taxation to the extent provided in the following schedule:

Annual Income	Percentage Assessed Valuation Exempt From Taxation
\$16,100 or less	50 per centum
More than \$16,100, but less than \$17,099.99	45 per centum
\$17,100 or more, but less than \$18,099.99	40 per centum
\$18,100 or more, but less than \$19,099.99	35 per centum
\$19,100 or more, but less than \$19,999.99	30 per centum
\$20,000 or more, but less than \$20,899.99	25 per centum
\$20,900 or more, but less than \$21,799.99	20 per centum
\$21,800 or more, but less than \$22,699.99	15 per centum
\$22,700 or more, but less than \$23,599.99	10 per centum
\$23,600 or more, but less than \$24,499.99	5 per centum
\$24,500 or more	not eligible

b. Any exemption provided herein shall be computed after all other partial exemptions allowed by law excluding the school tax relief (Star) exemption authorized by Section 425 of the Real Property Tax Law have been subtracted from the total amount assessed, provided, however, that no parcel may receive an exemption for the same municipal tax purpose pursuant to this local law and Section 467 of the Real Property Tax Law.

Section 4: Sibling Definition

For purpose of this local law "sibling" shall mean a brother or a sister, whether related through half-blood, whole-blood or adoption.

Section 5: Limitation of Exemption.

No exemption shall be granted:

a. If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of \$24,499.99 as may be provided by local law. Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except where the husband or wife, or ex-husband or ex-wife is absent from the property due to divorce, legal separation or abandonment, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not, exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, inheritances or monies earned through employment in the federal foster grandparent program and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income:

b. unless the property is used exclusively for residential purposes, provided, however, that in the event any portion of such property is not so used exclusively for residential purposes, 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:

c. unless the real property is the legal residence of and is occupied in whole or in part by the disabled person; except where the disabled person is absent from the residence while receiving health related care as an inpatient of a residential health care facility, as defined in Section 2801(3) of the Public Health Law, provided that any income accruing to that person shall be considered income for purposes of this section only to the extent that it exceeds the amount paid by such person or spouse or sibling of such person for care in the facility.

Section 6: Application.

Application for such exemption must be made annually by the owner, or all of the owners of the property, on forms prescribed by the state board and shall be filed in such assessor's office on or before the appropriate taxable status date. Provided, however, proof of a

permanent disability need be submitted only in the year exemption pursuant to this local law as first sought or the disability is first determined to be permanent.

Section 7: Continuation; Review.

At least sixty days prior to the appropriate taxable status date, the assessor shall mail to each person who was granted exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or before the taxable status date and be approved in order for the exemption to continue to be granted. Failure to mail such application form or the failure of such person to receive any of the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.

Section 8: Effective Date.

This local law shall take effect upon filing with the Secretary of State.

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

RESOLUTION 10-23: APPOINTMENT OF CHAIRMAN OF THE BOARD OF SUPERVISORS AND CHAIRMAN OF THE WAYNE COUNTY COMMITTEE OF ECONOMIC DEVELOPMENT AND PLANNING TO THE WAYNE COUNTY INDUSTRIAL DEVELOPMENT BOARD OF DIRECTORS

Mr. Johnson presented the following:

WHEREAS, pursuant to General Municipal Law Section 856(2) the members of the Board of Directors (the "Board" or "Board Members") of the Wayne County Industrial Development Agency (the "Agency") shall serve at the pleasure of the Wayne County Board of Supervisors (the "County") and the "Board" shall consist of not less than (3) nor more than seven (7) members; and

WHEREAS, according to previous policy, the Chairman of the Board of Supervisors and Chairman of the Wayne County Committee of Economic Development and Planning shall be members of the "Board"; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors appoints the Chairman of the Board and Chairman of the Economic Development and Planning Committee to the "Board" of the Agency to serve until December 31st, 2023 or such time until his/her death, resignation, removal disqualification, or a successor has been elected or appointed.

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

RESOLUTION 11-23: AUTHORIZATION TO CREATE AND APPOINT A TEMPORARY DEPUTY TREASURER CONSULTANT AND SET SALARY

Mrs. Leonard presented the following:

WHEREAS, the Deputy County Treasurer Jody Bornheimer retired on December 31, 2022; and

WHEREAS, the County Treasurer desires to have Ms. Bornheimer assist with training and closing the 2022 accounting records;

WHEREAS, Jody Bornheimer has agreed to provide training and assistance with closing the 2022 accounting records on an as needed basis through December 31, 2023; now therefore be it

RESOLVED, that the position of Deputy County Treasurer Consultant is hereby created; and be it further

RESOLVED, that Jody Bornheimer will be paid \$41.90 per hour on an as-needed basis, to be determined by the County Treasurer; and be it further

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

A1325- County Treasurer
(Appropriations)
\$10,000.00 from .51052 Deputy Treasurer
\$10,000.00 to .51950 Deputy Treasurer Consultant

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

Chairman Eygnor announced the next scheduled meeting on January 17, 2023 at the Emergency Management Department Operations Room.

On motion of Mr. Chatfield and seconded by Mr. Johnson the Board adjourned the meeting at 9:15 a.m. Carried.

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