

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

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

Upon roll call, all Supervisors were present.

County Administrator Richard House and County Attorney Daniel Connors were also present for this morning's session.

**APPROVAL OF MINUTES:**

Mr. Johnson moved, seconded by Mr. Brady, to waive the reading of the minutes of the January 18, 2022 and January 28, 2022 meetings. Both meetings were approved as distributed. Upon roll call, carried.

**COMMUNICATIONS:**

The Sheriff's Office Cash Receipts Report dated January 14, 2022 totaling \$13,675.27 was received and filed.

The County Auditor's Accounts Payable Report for monthly utilities, miscellaneous payments including the February 1, 2022 warrants for accounts payable, totaling \$5,646,625.50 was received and filed.

A copy of the Petition and Notice of Foreclosure for 2020 Delinquent Town and County taxes was received and filed from the Wayne County Treasurer's Office.

An email was received from the NYS Comptroller's Office acknowledging receipt of the corrective action plan in response to Report of Examination S9-20-6. This report provided recommendations on enforcing restitution orders, notifying the court when a probationer violated the court order and disbursing victim restitution payments promptly and appropriately.

**Committee Assignments:**

Below are the Chairman's appointments to the following committees:

- Supervisor Brady was selected to serve on the Genesee Transportation Council and Wayne County Water Quality Coordinating Committee.
- Supervisors Johnson, Leonard and Donalty were selected to serve on the Sales Tax Distribution Review Committee. The County Administrator and Fiscal Assistant will also serve on this committee.
- Supervisor Groat was reappointed to the WATS Advisory Committee.
- Supervisors Chatfield, Leonard and Verno were appointed to the Collective Bargaining Team for Sheriff's Deputies and Corrections Officers. The County Administrator, Sheriff (or designee) and Human Resource Director will also serve on this committee.
- Supervisors Lasher and Mettler were appointed to the Deferred Compensation Plan Advisory Committee. The Human Resource Director, Fiscal Assistant, County Attorney and respective Union Representatives will also serve on this committee.
- Supervisors Johnson and Mettler were appointed to the Wayne County Action Program, Inc. Board of Directors.
- Supervisors Johnson and Brady were selected to serve on the Genesee Finger Lakes Planning Council. Chairman Miller and the Economic Development and Planning Director will also serve on this committee.
- Chairman Miller will be serving on the Wayne County Jury Board.

Mr. Lasher moved, seconded by Mr. Donalty, that the February, 2022 communications be received and filed. Motion carried.

**PUBLIC HEARING**

Community Development Block Grant (CDBG) Program

Public Hearing for comment on Wayne County's current Community Development Block Grant (CDBG) Projects

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

The Clerk read the following notice of public hearing:

**LEGAL NOTICE  
NOTICE OF PUBLIC HEARING  
WAYNE COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**

The Wayne County Board of Supervisors will hold a public hearing on **Tuesday, February 15,**

**2022 at 9:05 AM** in the Supervisors Chambers at 26 Church Street, Lyons, New York 14489 14489 for the purpose of hearing public comments on Wayne County's community development needs, and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2021 and 2022 program years. Wayne County is considering applying for CDBG funds for proposed activities including: Farmworker Housing safety improvement, infrastructure development, and economic development as well as housing, public facilities, public infrastructure, planning and other CDBG CARES activities.

The CDBG program is administered by the New York State Office of Community Renewal (OCR), and makes funding available to eligible local governments for the principal purpose of benefitting low/moderate income persons. The hearing will provide further information about the CDBG program and will allow for citizen participation in the development of any proposed grant applications and/or to provide technical assistance to develop alternate proposals. Comments on the CDBG program or proposed project(s) will be received at this time. The hearing is being conducted pursuant to Section 570.486, Subpart I of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended.

The Court House, 26 Church Street, Lyons, New York is accessible to persons with disabilities. If special accommodations are needed for persons with disabilities, those with hearing impairments, or those in need of translation from English, those individuals should contact Kelley Loveless at 315-946-5400, at least one week in advance of the hearing date to allow for necessary arrangements. Written comments may also be submitted to Kelley Loveless until February 15, 2022 at 26 Church Street, Lyons, New York 14489.

At 9:11 a.m., Chairman Miller opened the floor for the public, stating that people interested in making comment on Wayne County's community development needs, 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 Miller asked for a motion to close the hearing.

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

#### **ANNUAL REPORTS**

Mr. Chatfield moved, seconded by Mr. Kolczynski that the following 2021 Annual Reports be received and filed:

Wayne Pre-Trial Services  
Economic Development & Planning  
County Clerk  
Real Property Tax  
Information Technology

Motion carried.

#### **PRIVILEGE OF THE FLOOR**

Director of the Office of Disaster Preparedness, George Bastedo, introduced Wayne County's new Fire Coordinator, Jeremiah Shufelt, to the Board.

#### **EXECUTIVE SESSION**

Mrs. Leonard motioned at 9:14 a.m. to enter into Executive Session regarding pending litigation, seconded by Mr. Eygnor. Mr. Kolczynski motioned to enter back into Regular Session at 9:19 a.m. seconded by Mr. Mettler. Carried.

#### **SCHEDULED BUSINESS:**

#### **RESOLUTION 48-22: AUTHORIZATION TO ACCEPT FUNDS FROM NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES TO CONTINUE DEVELOPMENT OF A SYSTEM RESPONSE FOR COMMERCIALY SEXUALLY EXPLOITED CHILDREN, TRAFFICKED AND AT RISK YOUTH FOR THE DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, the Safe Harbour fund was established to help local Departments of Social Services prepare for implementation of the Safe Harbour program, and

WHEREAS, the Safe Harbour fund will be used to develop a system response to commercially sexually exploited children, trafficked and at-risk youth, and

WHEREAS, the Wayne County Department of Social Services (WCDSS) has been notified by the NYS Office of Children and Family Services (NYS-OCFS) that WCDSS has been awarded an amount of \$50,020, from the above mentioned program, and

WHEREAS, the WCDSS was required to submit a plan and budget to NYS-OCFS demonstrating that the funds would be put to appropriate use, and

WHEREAS, such plan and budget has been submitted and approved, and

WHEREAS, there is no local match required to access the \$50,020 of Harbour Funds; now therefore be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to accept the NYS-OCFS funding to be spent no later than 12/31/22 in the amount of \$50,020 to be used towards the continued development of a system response to commercially sexually exploited children, trafficked and at-risk youth.

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

**RESOLUTION 49-22: AUTHORIZATION TO ADJUST THE FOSTER CARE PAYMENT RATES FOR HIGH RISK YOUTH PLACED IN THE CUSTODY OF THE COMMISSIONER OF THE DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, the Department of Social Services is required to have care available for youth needing to be placed outside of their homes, and

WHEREAS, rates for this least restrictive mode of care need be adjusted at this time due to increase in the cost of living, and

WHEREAS, such rates have not been adjusted in Wayne County since April 1, 2016, and

WHEREAS, Wayne County Department of Social Services continues the need for sufficient, well-trained, family foster care providers to provide safe, secure care to children placed in the custody of the Commissioner of Social Services, and

WHEREAS, the Department of Social Services has seen a rise in the difficult behaviors and needs of the youth being placed in care, and

WHEREAS, the Department of Social Services finds it necessary to create an additional level of payment in the foster home rate table labelled "BRIDGE RATE" to be used for those youth awaiting placement into a higher level of care, or into another system of care, and

WHEREAS, the mandatory implementation of Family First Prevention Act Legislation has placed costly penalties on the county if the youth being placed outside their home are not placed in the least restrictive environment possible; now therefore be it

RESOLVED, that the foster care rates will be adjusted per the following table, effective March 1, 2022.

<u>AGES</u>	<u>BASIC</u>	<u>ENHANCED</u>	<u>SPECIAL</u>	<u>EXCEPTIONAL</u>	<u>BRIDGE</u>
Birth-5	\$17.78	\$20.12	\$37.24	\$55.29	
6-11	\$19.31	\$22.32	\$37.24	\$55.29	\$75.00
12+	\$22.42	\$25.27	\$37.24	\$55.29	\$75.00

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

**RESOLUTION 50-22: AUTHORIZATION TO EXECUTE MODIFICATION AGREEMENT WITH NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES (OCFS) IN RELATION TO CHILD CARE DEVELOPMENT BLOCK GRANT FUNDS**

Mr. Verno presented the following:

WHEREAS, the New York State Office of Children and Family Services (OCFS) is authorized to register and inspect child day care programs or to contract for this service, and

WHEREAS, local departments of Social Services (LDSS) are qualified to fulfill the required responsibilities, and

WHEREAS, NYS OCFS provides Child Care and Development Block Grant (CCDBG) funds to Wayne County Department of Social Services to subcontract for these services; therefore be it

RESOLVED that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a Modification Agreement on behalf of the Wayne County Department of Social Services, subject to the County Attorney's approval as to form and content, with the New York State Office of Children and Family Services regarding the receipt and use of federal funds under the Child Care Development Block Grant in the amount of \$123,662 for the period 1/1/22 to 12/31/22.

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

**RESOLUTION 51-22: AUTHORIZATION TO ABOLISH ONE FULL-TIME SUPPORT INVESTIGATOR AND CREATE ONE FULL-TIME SENIOR SUPPORT INVESTIGATOR**

Mr. Verno presented the following:

WHEREAS, the Department of Social Services will have a vacant Support Investigator position upon the resignation of one of its current employees, and

WHEREAS, the 2020/2021 pandemic coupled with a turnover of staff in the Child Support Enforcement Unit has forced the agency to re-evaluate staffing and assignment of responsibilities within the department, and

WHEREAS, the Commissioner has determined with the significant number of staff new in their roles, it is beneficial to the Department to have a Senior Support Investigator to assist with supervisor duties, and

WHEREAS, the position of Senior Support Investigator plays a critical role in the training and direct supervision of staff in addition to providing direct Support Collection services, and

WHEREAS, due to the departure of tenured staff, funds are presently available for such a position; now therefore be it

RESOLVED, that one full-time Support Investigator position be abolished and one full-time Senior Support Investigator position be created in the Wayne County Department of Social Services, effective immediately, and the Commissioner is authorized to hire and fill this position and amend the FY 2022 budget accordingly, and, further be it

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

A6010 Department of Social Services  
(Appropriations)  
\$43,600 from 51209 Support Investigator  
\$43,600 to 51248 Senior Support Investigator

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

**RESOLUTION 52-22: AUTHORIZATION TO EXECUTE A RENTAL AGREEMENT WITH EIDDA, LLC FOR THE SODUS CONGREGATE MEAL SITE FOR THE DEPARTMENT OF AGING AND YOUTH**

Mr. Verno presented the following:

WHEREAS, The Department of Aging and Youth provides congregate meals in five senior centers in Wayne County; and

WHEREAS, the Department is requesting to enter into a rental agreement with the Eidda, LLC for a congregate meals site at 47 Maple Avenue in Sodus at the rate of \$600.00 per month, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a rental agreement with Eidda, LLC, in the amount of \$600.00 per month, on behalf of Wayne County for the period of January 1, 2022 through December 31, 2022, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 53-22: AUTHORIZATION TO RENEW ANNUAL CONTRACTS WITH COMMUNITY PROVIDER ORGANIZATIONS FOR THE 2022 COUNTY BUDGET YEAR**

Mr. Robusto presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contracts for the 2022 County Budget year with the following organizations for the purposes of the continued provision of mental hygiene related services in Wayne County, and for disbursement of New York State pass through funding and/or required Wayne County funding in the following amounts:

- Association for the Blind and Visually Impaired-Lifeline: \$24,839 (state funds)
- Council on Alcoholism and Addictions of the Finger Lakes: \$111,777 (state funds)
- Catholic Family Center-Hannick Hall: \$738,593 (state funds)
- DePaul: \$156,917 (state funds)

now therefore be it

RESOLVED, that the Chairman of the Board is authorized to sign a renewal contract with the above noted community provider agencies for the provision of mental hygiene services in Wayne County for the period January 1, 2022 to December 31, 2022, not to exceed the listed funding amounts noted above which are in accordance with the 2022 State funding award amounts, including any county funding as noted, and also any plus/minus adjusted amounts based on any prior year state funding closeout reconciliations or adjustments made to the current year funding amount, and the contracts being approved and subject to the County Attorney's review as to form and content.

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

**RESOLUTION 54-22: AUTHORIZATION TO RENEW CONTRACT WITH INDEPENDENT LIVING FOR SENIORS, INC., D/B/A ELDERONE FOR THE PROVISION OF BEHAVIORAL HEALTH SERVICES**

Mr. Robusto presented the following:

WHEREAS, ElderONE is a Program of All-Inclusive Care for the Elderly (a "PACE Program") under New York State law, providing a wide range of health care and other services to its member population, with a focus on giving the frail elderly an alternative to nursing home placement with in-home care; and

WHEREAS, the Wayne County Department of Mental Health Department-Wayne Behavioral Health Network (WBHN) and the Independent Living for Seniors, Inc., d/b/a/ Elder One, an affiliate of Rochester Regional Health, are mutually desirous to continue and renew a business contract with each other in order for WBHN to provide certain behavioral health professional services to the clientele participating in the ElderOne program; and

WHEREAS, the contract will continue to allow for billing procedures and provide a reimbursement schedule, among other items, which will provide for WBHN's ability to receive payment for the services provided; now therefore be it

RESOLVED, that the Chairman of the Board is authorized to sign a contract, pending the County Attorney's review as to form and content, with the Independent Living for Seniors, Inc., d/b/a/ Elder One, an affiliate of Rochester Regional Health, and with WBHN to provide behavioral health services to the ElderOne program participants, for the covered contract period between December 1, 2021 through November 30, 2024.

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

**RESOLUTION 55-22: AUTHORIZATION TO RENEW PROGRAM AGREEMENT & CONTRACT BETWEEN THE WAYNE COUNTY DEPARTMENT OF MENTAL HEALTH AND THE UNIVERSITY OF ROCHESTER**

Mr. Robusto presented the following:

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

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

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

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

RESOLVED, that the Mental Health Department and the Chairman of the Board of Supervisors, pending approval of the County Attorney as to form and content, are authorized to renew the contractual agreement with the University of Rochester for the program collaborative for forensic fellow training at a cost to the mental health department not to exceed \$70,000 for the contract period January 1, 2022 through December 31, 2022.

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

**RESOLUTION 56-22: AUTHORIZATION TO PURCHASE ADDITIONAL SERVICES WITH THE TEN-ELEVEN GROUP, LLC.**

Mr. Robusto presented the following:

WHEREAS, Resolution 633-18 authorized contracting with the Ten-Eleven Group, LLC, on behalf of the Department of Mental Health & Wayne Behavioral Health Network (WBHN), to purchase a new clinical health care electronic medical records system (EMR) along with associated licensing; and

WHEREAS, the current contract and payment schedule in the accepted Ten-Eleven proposal (page 10 of the Proposal dated 9/21/18) includes an "Electronic Prescribing of Controlled Substances" additional module and premium functionality feature within the electronic medical record system and annual support for this feature, however whenever a new employee who is also a prescribing medical professional is hired, WBHN must arrange for a new & distinct one-time set-up for access and security credentials for the new employee; and

WHEREAS, WBHN initially purchased a specific quantity of prescriber credential set-ups and therefore is now in need to purchase additional subsequent one time credential set-ups for new medical prescriber staff who will on-board with WBHN; and

WHEREAS, due to the immediate urgency associated with any new prescribers needing the ability to immediately be able to prescribe controlled medications, and in order to make this process efficient and timely moving forward, it would be very beneficial to allow the Director of WBHN to have the discretionary authority to approve and make the arrangements as necessary with Ten-Eleven for the purchase of this controlled substance prescribing credential security set-up and to sign authorizations for the Subsequent Purchase Schedule; and

WHEREAS, the Department has sufficient funds budgeted in the 2022 county budget to cover the expenses associated with this; now, therefore be it

RESOLVED that the Director of WBHN and the Mental Health Department is

authorized, pending County Attorney review and approval as to form and content, to purchase and sign subsequent purchase schedules with Ten-Eleven, LLC, for "Electronic Prescribing of Controlled Substances One-time Security Credential Set-ups" that are associated with the current contract between Wayne Behavioral Health Network and with Ten-Eleven Group, LLC, (for a fee of \$1,250 per set-up), and this authorization will continue for the duration of the contract term as approved by Resolution 633-18.

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

**RESOLUTION 57-22: AUTHORIZATION TO PAY TEN-ELEVEN GROUP, LLC. LICENSE FEE FOR CPT BILLING CODES**

Mr. Robusto presented the following:

WHEREAS, Resolution 633-18 authorized contracting with the Ten-Eleven Group, LLC, on behalf of the Department of Mental Health & Wayne Behavioral Health Network (WBHN), to purchase a new clinical health care electronic medical records system (EMR) along with associated licensing; and

WHEREAS, recently new American Medical Association Current Procedural Terminology (CPT) Billing Codes were issued and it was essential that WBHN have Ten-Eleven add these CPT codes to the WBHN electronic medical record billing system; and

WHEREAS, there is a one-time licensing fee associated with the use of new CPT billing codes that WBHN is responsible to pay; now, therefore be it

RESOLVED, that WBHN and the Mental Health Department is authorized to pay the additional costs for the licensing fees for the new CPT billing codes that were added to WBHN's electronic medical record billing system, for a total cost of \$36.00.

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

**RESOLUTION 58-22: APPOINTMENT OF MEMBER TO THE WAYNE COUNTY COMMUNITY SERVICES BOARD**

Mr. Robusto presented the following:

WHEREAS the Wayne County Community Services Board (CSB) is in need of filling a vacancy on the CSB; and

WHEREAS, historically the Chairperson of the Wayne County Board of Supervisors Health and Medical Committee has served as a CSB member, and given that the former Chairperson is no longer a member of the County Board of Supervisors, the CSB is in need of a new appointment; and

WHEREAS, the Director of Community Services, under NYS Mental Hygiene Law is the CEO for the Wayne County Community Services Board (CSB) and Local Governmental Unit, and on behalf of the CSB presents this individual to the Wayne County Board of Supervisors for their official appointment of this individual to serve on the Wayne County Community Services Board for the term period noted below; now, therefore be it

RESOLVED that the Wayne County Board of Supervisors, upon recommendation of the Director of Community Services and on behalf of the Wayne County Community Services Board, hereby appoints Supervisor Frank Robusto, Chairperson of the Health & Medical Committee of the Wayne County Board of Supervisors, to serve on the Wayne County Community Services Board for the duration of the term as noted below, and pursuant to Article 41 of the New York State Mental Hygiene Law:

**Appointment to Community Services Board– Term through December 31, 2025**

Frank Robusto – Supervisor Town of Ontario and Chairperson of the Health & Medical Committee

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

**RESOLUTION 59-22: AUTHORIZATION TO ACCEPT AND SIGN PROPOSAL FOR DAIKIN APPLIED AND THEIR DESIGNATED SUBCONTRACTORS TO REBUILD AND UPGRADE THE CHILLER AT THE WAYNE COUNTY NURSING HOME**

Mr. Robusto presented the following:

WHEREAS, Daikin Applied was recognized as a sole source service provider on the existing Daikin/McQuay HVAC equipment located at the Wayne County Nursing Home by Resolution 378-21; and

WHEREAS, the Nursing Home's current Daikin/McQuay chiller requires a software upgrade and major service, where portions of the unit need to be rebuilt due to age and degradation of components; and

WHEREAS, Daikin Applied has provided a proposal to complete the work in the amount of Fifty-Seven Thousand, Eight Hundred and Forty Five dollars and zero cents (\$57,845.00); and

WHEREAS, the price breakdown details that portions of the work required to complete this project will need to be subcontracted; and

WHEREAS, additional deficiencies and worn parts may be identified during the commencement of the work, and therefore may require change orders; and

WHEREAS, this chiller rebuild and upgrade project is already budgeted for in the 2022

nursing home's budget; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors authorizes Daikin Applied to use subcontractors for portions of the work required to complete the project, and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign the proposal and enter into an agreement with Daikin Applied in the amount of \$57,845, on behalf of the Wayne County Nursing Home, to perform the required service and upgrade, subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the Superintendent of Public Works or his Deputy is authorized to approve change orders, which when combined with the proposal amount is not to exceed the total project budget of \$75,000, for additional labor and/or items identified when the chiller is disassembled that need to be repaired or replaced.

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

**RESOLUTION 60-22: AUTHORIZATION TO CERTIFY AND SUBMIT THE 2022 PUBLIC HEALTH STATE AID APPLICATION**

Mr. Robusto presented the following:

WHEREAS, the NYS Dept. of Health (NYSDOH) requires an annual State Aid Application be submitted based on the approved 2022 Wayne County Public Health budget; and

WHEREAS, the application must be certified by the Chairman of the Board of Supervisors prior to submitting; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to certify the 2022 application; and be it further

RESOLVED, that the Public Health Director is hereby authorized and directed to submit the 2022 application for NYSDOH approval.

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

**RESOLUTION 61-22: AUTHORIZATION TO SUBMIT THE PRE-K ANNUAL ADMINISTRATIVE COSTS INCURRED REPORT FOR WAYNE COUNTY PUBLIC HEALTH**

Mr. Robusto presented the following:

WHEREAS, Section 4410 of the Education Law entitles counties to receive administrative cost reimbursement of seventy-five dollars per eligible preschool student with a disability or the total County Administrative cost (whichever is lower); and

WHEREAS, a Statement of County Administrative costs incurred Under Section 4410 of the Education Law, July 1, 2020 – June 30, 2021 must be submitted to the State Education Dept. Program Services Unit in order to receive such reimbursement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the Pre-K Program's completed Statement of Administrative Costs Incurred Report for submission to the State Education Dept. for reimbursement, for the period of July 1, 2020 to June 30, 2021.

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

**RESOLUTION 62-22: AUTHORIZATION FOR THE PUBLIC HEALTH PROFESSIONAL ADVISORY COMMITTEE TO APPROVE REQUIRED MANUALS**

Mr. Robusto presented the following:

WHEREAS, Wayne County Public Health (WCPH) is required to maintain specific manuals for Article 6, Article 28, Article 36, and Article 31 required programs; and

WHEREAS, WCPH holds quarterly Professional Advisory Committee (PAC) meetings to review and approve changes to these manuals; and

WHEREAS, members of the PAC include the Director, Deputy Director, and Medical Director of WCPH, supervisors, and outside members; and

WHEREAS, currently each manual must also be approved by the Health and Medical Committee and signed by its Chairperson; and

WHEREAS, the Director of WCPH will update the Health and Medical Committee of any changes as needed; and

WHEREAS, WCPH would like to grant the PAC the authority to approve and sign-off on all manuals; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to extend approval of all WCPH manuals to the Professional Advisory Committee until December 31, 2022, with updates reviewed with the Health and Medical Committee by the Director of Public Health.

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

**RESOLUTION 63-22: AUTHORIZATION TO CREATE THE POSITION OF PER-DIEM FISCAL ASSISTANT AND AMEND BUDGET**

Mr. Lasher presented the following:

WHEREAS, Kenneth Blake has been the County Fiscal Assistant since February 2011, and

WHEREAS, Mr. Blake has announced his retirement effective February 25, 2022, and

WHEREAS, Mr. Blake's financial skills are an invaluable asset to the County, and  
WHEREAS, part of Mr. Blake's duties has been working with the County Grants Coordinator on fiscal management, report generation and claims administration, and

WHEREAS, a new Grants Coordinator has been recently appointed, which will require Mr. Blake's additional oversight until such person becomes fully proficient in the duties associated with numerous County grants, and

WHEREAS, The County Administrator is desirous of creating the position of Pier-Diem Fiscal Assistant at a rate of \$65 dollars per hour at total amount not to exceed \$35,000, and appointing Kenneth Blake to said position until December 31, 2022, now therefore, be it

RESOLVED, that the County Administrator is hereby authorized to create the position of Per-Diem Fiscal Assistant at an hourly rate of \$65, at a total cost not to exceed \$35,000, and further, be it

RESOLVED, that the position of Per-Diem Fiscal Assistant shall be abolished December 31, 2022, unless extended by the Board of Supervisors, and further, be it,

RESOLVED, the Treasurer is hereby directed to amend the County budget as follows:

A1990 Contingent Fund General  
(Appropriations)  
\$22,000 from 54000 Contractual Expenses

A1230 County Administration  
(Appropriations)  
\$2,500 from 51586 Fiscal Assistant  
\$2,000 from 58100 Payments to NYS Retirement System  
\$8,500 from 58400 Hospitalization  
\$35,000 to 51xxx Per-Diem Fiscal Assistant

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

**RESOLUTION 64-22: AUTHORIZATION TO AMEND THE 2021 WORKERS' COMPENSATION BUDGET TO ELIMINATE BUDGET DEFICIT**

Mr. Lasher presented the following:

WHEREAS, at the end of the fiscal year it is necessary to transfer appropriations between departments and between line items to eliminate budget deficits; and

WHEREAS, S1710 Workers' Compensation Plan and S1720 Workers' Compensation Payments are the only two departments in the S-Fund;

WHEREAS, S1710 was overdrawn at the end of the 2021 fiscal year, and there are not adequate funds available to transfer out of S1720 to eliminate this shortfall; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to transfer \$62,000 from Unassigned S-Fund Balance; and be it further

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

S1710 Workers' Compensation Plan  
(Appropriations)  
\$32,000 to 54003 WC-Excess Insurance  
\$30,000 to 54001 WC-State Assessment

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

**RESOLUTION 65-22: AUTHORIZATION TO MODIFY THE WAYNE COUNTY COMPLIANCE PLAN**

Mr. Lasher presented the following:

WHEREAS, the Wayne County Compliance Plan is a comprehensive document that guides the County's Compliance Program; and

WHEREAS, the Compliance Plan will be further enhanced by adding language regarding Exclusions as well as adding language regarding our legal responsibility to establish a method for anonymous reporting of compliance-related matters; and

WHEREAS, such statement will also serve as a conduit for annual County Compliance training to all elected officials and employees; now therefore be it

RESOLVED, that the Wayne County Board of Supervisors adopts an updated version of the Wayne County Compliance Plan to include the following additions:

**I. Exclusions**

Wayne County, as an entity that receives Federal health care funding, will not employ or do business with any person or entity who is excluded by the Office of Inspector General from any Federal health care program and/or the Office of Medicaid Inspector General.

**II. Protections**

As per New York Social Services Law Section 363-D - Provider compliance program, communication lines shall include a method for anonymous and confidential good faith reporting of potential compliance issues as they are identified.



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

**RESOLUTION 66-22: AUTHORIZATION TO MODIFY THE WAYNE COUNTY ETHICS POLICY**

Mr. Lasher presented the following:

WHEREAS, the Wayne County Ethics Policy is a comprehensive document that guides the conduct of our elected officials and employees; and

WHEREAS, the Ethics Policy will be further enhanced by adding a statement that elucidates the county's definitions and policy with regard to Nepotism; and

WHEREAS, such statement will also serve as a conduit for annual County Compliance training to all elected officials and employees; now therefore be it

RESOLVED, that the Wayne County Board of Supervisors adopts an updated version of the Wayne County Ethics Policy to include the following addition:

**SECTION 14. NEPOTISM**

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism (or the perception of such), and negatively impact morale. Decisions concerning the employment, evaluation, promotion and compensation of personnel should be based on considerations of individual merit. Wayne County hires, promotes and transfers employees based on individual merit.

**DEFINITIONS:**

Nepotism: the practice of an employee, board member and/or elected official giving preferential treatment to relative in areas of employment, including but not limited to: hiring, promotion, transfer, compensation, evaluation and discipline.

Relative: a spouse, child, step-child, parent, step-parent, brother, sister, half-brother, half-sister, step-sibling, sibling's spouse, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, uncle, aunt, nephew, niece, first cousin, domestic partner or other household member of a municipal officer or employee, and individuals having any of these relationships to the spouse of the officer or employee.

**Policy:**

An employee or an elected official shall not directly supervise another relative, and shall not be directly supervised by a relative.

No employee, board member or elected official shall be involved in any part of the process of influencing or controlling the terms and conditions of another relative's employment, including: hiring, evaluation of work performance, establishing or changing work assignments, making recommendations for compensation or salary adjustments, promotions or other personnel decisions.

County employees conducting interviews for the purpose of hiring a new employee shall inquire of all interviewees or applicants whether the individual has a relative that is already employed by the County, along with the name of the relative employee. This information shall be utilized to determine if hiring the prospective employee would result in a violation of this Policy.

**EXCEPTIONS:**

Any pre-existing relative relationships between employees of any County Department that predate this Policy (February 15, 2022) shall be exempt under this Policy. However, if the existing employment relationship is changed so that this conflict no longer exists (i.e. the employee relative is in a position that no longer directly reports to another employee relative), this Policy would apply in future employment decisions affecting employee relatives (i.e. the supervisor of the relative could no longer reemploy the relative in a directly subordinate position).

The County recognizes that employee relative conflicts might arise when one relative gains a leadership of an office where another relative already is employed. In such cases, the County may work with such Department where the conflict exists to reduce any real or perceived conflict between the employee relative (i.e. have the subordinate relative report directly to the employee in the next level of the supervisory chain, who shall be responsible for appointment, compensation, evaluations and other terms and conditions of employment).

An appointing authority within a Department (typically the Department Head) may appoint a relative within the Department the appointing authority oversees only if the appointing authority did not participate in the hiring process, including interviews and will not directly supervise the relative employee. The appointing authority must recuse themselves from disciplinary action against the relative employed in the department.

In addition, departments may have their own procedures with regard to standards associated with nepotism and the delivery of services (i.e. Prohibition from delivering services and making decisions that benefit relatives, as consumers of the service, in the course of the

employee's work)

Any violations arising from the application of this Policy should be referred to the Personnel Director, the County Compliance Officer or County Administrator for resolution.

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

**RESOLUTION 67-22: AUTHORIZATION TO APPOINT MEMBERS TO INTER-COUNTY ASSOCIATION OF WESTERN NEW YORK**

Mr. Lasher presented the following:

RESOLVED, the Wayne County Board of Supervisors hereby approves the appointments of the following individuals to the Inter-County Association of Western New York for the term January 1, 2022, through December 31, 2024, as listed below:

Kenneth Miller, Representative  
Lynn Chatfield, Representative  
Jody Bender, Representative

RESOLVED, that certified copies of this resolution be sent by the Clerk of this Board to the Association and the appointees.

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

**RESOLUTION 68-22: AUTHORIZATION TO BID COMPREHENSIVE HOUSING STUDY AND AMEND BUDGET**

Mr. Johnson presented the following:

WHEREAS, resolution 293-21 approved submission of a 2021 Community Development Block Grant (CDBG) to conduct an updated Comprehensive Housing Needs and Market Study application requesting up to \$50,000 of grant funding; approving \$2,500 in matching funds and approval to accept and execute agreements by the Chairman, and

WHEREAS, the County has been awarded \$47,500 under the 2021 CDBG Program to be reimbursed at completion of the project, and

WHEREAS, that the County Deputy Budget Director has determined that the County \$2,500 match should be funded from the General Fund Contingency budget; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes the Economic Development and Planning Department's issuance of a Request for Proposals for consultant services for completion of the study, and be it further

RESOLVED, 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 be it further

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

A1990 General Fund Contingencies  
(Appropriations)  
\$2,500 from 54000 Contractual Expenses

A8020 Planning Board  
(Revenue)  
\$47,500 to 44091 CDBG – EDP01 Comprehensive Housing Study  
(Appropriations)  
\$50,000 to 54400 Contracted Services – EDP01 Comprehensive Housing Study

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

**RESOLUTION 69-22: AUTHORIZATION TO BID BUSINESS PARK FEASIBILITY STUDY AND AMEND BUDGET**

Mr. Johnson presented the following:

WHEREAS, resolution 295-21 approved submission of an application for a comprehensive business park strategy requesting \$30,000 of grant funding, approving \$30,000 in matching funds, and approval to accept and execute agreements by the Chairman, and

WHEREAS, the County has been awarded \$30,000 under the Empire State Development Strategic Planning and Feasibility Study Program to be reimbursed at completion of the project, and

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

RESOLVED, that the Board of Supervisors authorizes the Economic Development and Planning Department's issuance of a Request for Proposals for consultant services for completion of the study, and be it further

RESOLVED, 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 be it further

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

A1990 General Fund Contingencies

(Appropriations)

\$30,000 from 54000 Contractual Expenses

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

**RESOLUTION 70-22: AUTHORIZATION TO SET PUBLIC HEARING FOR INCLUSION OF LAND IN A CERTIFIED AGRICULTURAL DISTRICT**

Mr. Johnson presented the following:

WHEREAS, the Board of Supervisors, as required by NYS Agriculture and Markets Law 303-b, 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, landowner(s) have submitted a request to include their land in a certified agricultural district, and

WHEREAS, before this property can be formally included in the Agricultural District No. 1, the Board of Supervisors must hold a public hearing; now, therefore be it

RESOLVED, that the Board of Supervisors will hold a public hearing for the modification of Agricultural District No. 1 on Tuesday, March 15, 2022 at 9:05 A.M. in the Supervisors Chambers of the Wayne County Courthouse, 26 Church Street, Lyons, 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. VanLaeken moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

**RESOLUTION 71-22: AUTHORIZATION TO APPLY FOR CDBG-CV GRANT FOR THE ECONOMIC DEVELOPMENT & PLANNING OFFICE**

Mr. Johnson presented the following:

WHEREAS, The New York State Office of Community Renewal announced the availability of (OCR) \$127 million in NYS Community Development Block Grant (CDBG) funding for COVID-19 response available through the CARES Act (CDBG-CV)2020 Community Development Block Grant (CDBG-CV) Coronavirus Aid, Relief, and Economic Security Act (CARES) Funding); and

WHEREAS, The New York State Community Development Block Grant Program (NYS CDBG) is a federally funded program administered by the Housing Trust Fund Corporation's (HTFC) Office of Community Renewal (OCR). The CDBG-CV funding will be available to non-entitlement & entitlement communities statewide to prepare, prevent, or respond to impacts of COVID-19 and potential variants or future pandemics, and

WHEREAS, Counties are eligible for up to \$3,000,000 under this solicitation, and

WHEREAS, OCR will provide funding for eligible activities to establish a farmworker safety improvement program and to utilize in proposed infrastructure projects; therefore be it

RESOLVED, that the Board of Supervisors hereby authorizes the submission of a 2020 Community Development Block Grant (CDBG-CV) application requesting up to \$3,000,000 of grant funding to establish the farmworker safety improvement program and to utilize in proposed infrastructure projects; and be it further

RESOLVED, that said application shall be prepared and filed under the direction and supervision of the County Economic Development and Planning Office; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a CDBG Pre-Submission Certification Form, preliminary budget and any other agreement documents necessary to implement the resolution, including acceptance of a CDBG award resulting from approved application, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 72-22: AUTHORIZATION TO RE-APPROPRIATE UNSPENT 2021 BUDGET FUNDING TO THE INDUSTRIAL DEVELOPMENT PROGRAM 2022 BUDGET**

Mr. Johnson presented the following:

WHEREAS, the Wayne County Board of Supervisors has established the Industrial Development Site Fund as a tool to encourage the extension of public infrastructure so that

industry can expand and grow in Wayne County; and

WHEREAS, that resolution No. 390-13 adopted guidelines for the use of the Industrial Development Site Fund which includes providing one third of the cost of the public infrastructure projects, to be matched by two thirds from local state, federal or private funds; and

WHEREAS, the County funding of the Industrial Site Development Fund crosses several fiscal years; and

WHEREAS, with the adoption of resolution No. 110-19 the County capped County contributions to the Industrial Site Development Fund at \$1,000,000, and capped amount for any one project of \$300,000, and

WHEREAS, the County does not include Industrial Site Development Fund budget appropriations in the annual adopted operating budgets, but each year by Board resolution re-appropriates to the Industrial Site Development Fund any previous year end unspent budget balance for the fund, plus starting with resolution No. 135-15 re-appropriates any previous year unspent budget balance from the WC-IDA Economic Development and Planning Department Special Studies and Projects budget, up to the capped amount of \$1,000,000 for the Industrial Site Development Fund; and

WHEREAS, at the time that the County Treasurer closes the books for 2021, the Industrial Site Development Fund will have an unspent budget balance of \$902,819 and the Economic Development and Planning Special Studies and Projects will have an unspent budget balance of \$0, returning those unspent budget balances to the General Fund Unassigned Fund Balance at the end of 2021; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$902,819 from the General Fund Unassigned Fund Balance; and further be it

RESOLVED, that the County Treasurer is hereby authorized to amend the budget as follows:

A6326 Economic Development Administration

(Appropriations)

\$902,819 to 54553 Industrial Site Development Program

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

**RESOLUTION 73-22: AUTHORIZATION TO APPOINT MEMBERS TO THE WAYNE COUNTY WATER AND SEWER AUTHORITY**

Mr. Johnson presented the following:

WHEREAS, the Chairman of the Board of Supervisors has recommended that the following members be reappointed to the Wayne County Water and Sewer Authority for a three term of office beginning January 1, 2022 and expiring December 31, 2025:

Jean Johnson  
3600 Lorraine Drive  
Walworth, New York 14568

Laverne Bliet  
5126 Steurys Road  
Marion, New York 14505; and

Daniel LaGasse  
8729 Thompson Station Road  
Lyons, New York 14489;

now, therefore be it

RESOLVED, that the Board of Supervisors approves and ratifies these appointments to the Wayne County Water and Sewer Authority.

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

**RESOLUTION 74-22: AUTHORIZATION TO APPOINT MEMBERS TO THE AGRICULTURAL DEVELOPMENT BOARD**

Mr. Johnson presented the following:

WHEREAS, the following persons are recommended for appointment to the Agricultural Development Board to fill vacated seats:

Duane Crandon, 3160 Middle Sodus Rd, Lyons,  
Zachary DeBadts, 7839 N Centenary Rd, Sodus  
Jody Bender, P.O. Box 260, Marion

now, therefore, be it

RESOLVED, that Duane Crandon and Zachary DeBadts are hereby appointed to the Agricultural Development Board for a term of office effective January 1, 2022 and expiring on December 31, 2025; and be it further

RESOLVED that Jody Bender is hereby reappointed to the Agricultural Development Board for a term of office concurrent with his term of office as Supervisor, becoming effective January 1, 2022 and expiring on December 31, 2023.

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

**RESOLUTION 75-22: 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 Thomas Lyon as Wayne County Fair Housing Officer and Section 3 Officer.

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

**RESOLUTION 76-22: AUTHORIZATION TO OBTAIN PERMANENT EASEMENTS FOR HIGHWAY PROJECTS**

Mr. Chatfield presented the following:

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

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

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

Robert W. Pentycofe, 71115-00-418448, 8481 Wayne Center Road, Lyons NY 14489  
Francis Viehmann, 71115-00-388418, 8432 Wayne Center Road, Lyons NY 14489  
G&G Development II, LLC, 62117-10-385558 1249 Ridge Road, Ontario NY 14519  
Norman A. Gerber, LLC., 62117-10-404518 1260 Ridge Road, Ontario NY 14519

now, therefore be it

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

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

**RESOLUTION 77-22: ACCEPT BIDS FOR HIGHWAY CONSTRUCTION AND MAINTENANCE MATERIALS**

Mr. Chatfield presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for various highway construction and maintenance materials for 2022; now, therefore, be it

RESOLVED, that upon the recommendation of the Superintendent of Public Works, the bids listed in the attached Bid Summary Booklet dated February 2022, a copy of which has been filed with the Clerk of the Board of Supervisors, are hereby accepted; and be it further

RESOLVED, that the low bid amounts for each item should be utilized unless there is appropriate reason to purchase differently as described in the bid book, and be it further

RESOLVED, that the bids listed be good for 1 year from the date of award, and be it further

RESOLVED, that any municipal highway department may purchase materials directly from the vendors pursuant to such bids, provided that the municipality shall accept sole responsibility for any payments due the vendor and for audit and inspection of the materials; and be it further

RESOLVED, that any bid not listed in the Bid Summary Booklet is hereby rejected.

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

**RESOLUTION 78-22: AUTHORIZATION TO ADVERTISE FOR BID FOR THE FARMINGTON ROAD BRIDGE REHABILITATION PROJECT**

Mr. Chatfield presented the following:

WHEREAS, the design of the Farmington Road Bridge Project (4WA0.03) in Macedon has been completed and submitted to the NYSDOT for funding authorization; and

WHEREAS, the project must be advertised for competitive bid in accordance with Federal regulations; and

WHEREAS, the construction and construction inspection phases of the project are funded with 80% federal funds, 15% state funds and 5% local funds up to a maximum of \$701,560 (\$561,248 Federal) and any costs over the authorized project amounts will be the

responsibility of Wayne County, now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby designated and directed to publicly open the bid(s) at the time and place specified in the bid documents and to present a record of the bid(s) at the next meeting of the Board of Supervisors following the bid opening.

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

**RESOLUTION 79-22: AUTHORIZATION TO PREPARE A SUPPLEMENTAL AGREEMENT WITH CHA FOR THE FARMINGTON ROAD BRIDGE PROJECT**

Mr. Chatfield presented the following:

WHEREAS, this project (PIN 4WA0.03) is federally funded and included on the current Transportation Improvement Plan; and

WHEREAS, the project shares will be 80% federal and 20% Local funds, but the project may receive State Marchiselli funds (15%) which will make the Local share only 5%; and

WHEREAS, the project is soon to be advertised for bid and is ready to start the construction phase, and

WHEREAS, CHA has proposed a fee of \$102,500, which has been approved by the NYSDOT, for the construction inspection and administration services; and now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with CHA for the construction inspection services associated with the rehabilitation of the Farmington Road Bridge over Ganargua Creek in the Town of Macedon.

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

**RESOLUTION 80-22: AUTHORIZATION TO DECLARE VEHICLES SURPLUS IN THE PUBLIC WORKS DEPARTMENT**

Mr. Chatfield presented the following:

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

2014 Ford Interceptor (SO)	VIN 1FAHP2MT2EG182898	Auction
2015 Ford Interceptor (SO)	VIN 1FAHP2MT1FG168024	Auction
2015 Ford Interceptor (SO)	VIN 1FAHP2MT3FG200312	Auction
2015 Ford Interceptor (SO)	VIN 1FAHP2MT8FG200306	Auction
2016 Ford Interceptor (SO)	VIN 1FAHP2MT9GG126590	Auction
2004 Dodge Pickup (SO)	VIN 3D7KU26D94G235877	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. Johnson moved the adoption of the resolution. Seconded by Mr. Brady. Upon roll call, adopted.

**RESOLUTION 81-22: AUTHORIZATION TO ENTER INTO AGREEMENT WITH DEANGELO CONTRACTING SERVICES FOR ROADSIDE SPRAYING**

Mr. Chatfield presented the following:

WHEREAS, the Highway Department has previously hired a contractor to perform roadside spraying on County Roadways, and

WHEREAS, the Superintendent of Public Works has solicited for price proposals to provide roadside spraying services on County roadways and on several County properties, and

WHEREAS, the following price proposals were obtained based on the proposed scope of work:

DeAngelo Contracting Services	\$12,247.50
Chase Enterprises	\$13,158.75

now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an agreement with DeAngelo Contracting Services, subject to the County Attorney's approval as to form and content, for the not-to-exceed amount of \$12,247.50

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

**RESOLUTION 82-22: AUTHORIZATION TO SIGN INTER-MUNICIPAL AGREEMENT WITH TOWN OF SODUS**

Mr. Chatfield presented the following:

WHEREAS, The Town of Sodus is progressing a bridge rehabilitation project utilizing Federal and State funding, and

WHEREAS, the design of the project will extend the limit of work outside of the town road highway boundary and into a property owned by Wayne County, and

WHEREAS, in lieu of a formal filed easement to perform this work, the NYSDOT will accept an inter-municipal agreement authorizing the Town of Sodus' project to utilize Wayne County property while completing the work, now, therefore be it

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

authorized to sign an inter-municipal agreement with the Town of Sodus for property access, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 83-22: AUTHORIZATION TO AMEND THE 2022 HIGHWAY ADMINISTRATION BUDGET**

Mr. Chatfield presented the following:

WHEREAS, in April 2022, the New York State Association of County Highway Superintendents Association (NYSCHSA) will be the host group for the National Association of County Engineers (NACE) annual conference in Buffalo NY, and

WHEREAS, it is expected that as the host group, NYSCHSA supports the conference with attendance and with volunteer efforts to help produce a meaningful conference, and

WHEREAS, the cost for the Superintendent of Public Works to attend this conference was not included in the 2022 budget, and

WHEREAS, the Superintendent of Public Works proposes to utilize available funds from the D fund reserve toward the registration and lodging costs associated with attending this national conference, now, therefore be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$1,395.00 from the D fund reserve and amend the 2022 Highway budget as follows:

**D 5010 – Highway Administration**

(Appropriations)

\$645.00 to .54410 Conference

\$750.00 to .54485 Travel

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

**RESOLUTION 84-22: 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:

22-53	Marion East Williamson Rd Recycle Project	\$200,000
22-54	Marion East Williamson Rd Paving Project	\$ 50,000
22-55	Furnace Rd Ontario Drainage/Shoulder Project	\$310,000
22-56	Furnace Rd Ontario Recycle Project	\$250,000
22-57	Furnace Rd Ontario Paving Project	\$280,000
22-58	Lake Road Mink Creek Culvert	
	\$250,000	
22-59	North Geneva Rd Paving Project	\$
50,000		
22-60	Wayne Center Rd Recycle Project	\$ 50,000
22-61	Wayne Center Rose Rd Paving Project	\$ 50,000
22-62	Lakes Corners Rose Valley Drainage Project	\$ 90,000
22-63	Lakes Corners Rose Valley Recycle Project	\$ 50,000
22-64	Lakes Corners Rose Valley Paving Project	\$ 50,000
22-65	Lake Bluff Rd Culvert Project	\$ 50,000

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

20-70	Marion East Williamson Rd Project	\$155,000
20-79	Lake Road Culvert Replacement Project	\$ 20,000
21-32	County House Road Project	\$ 60,000
21-42	North Geneva Drainage Rd Project	\$ 25,000
21-50	Surface Treating East Project	
	\$300,000	
21-51	Surface Treating West Project	\$300,000

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)

\$2,590,000 from .52600 Highway Construction to the following Chips Projects:

\$200,000 to .52670 22-53 Marion East Williamson Rd Recycle Project

\$ 50,000 to .52670 22-54 Marion East Williamson Rd Paving Project

\$310,000 to .52670 22-55 Furnace Rd Ontario Drainage/Shoulder Project

\$250,000 to .52670 22-56 Furnace Road Recycle Project

\$280,000 to .52670 22-57 Furnace Road Ontario Paving

\$250,000 to .52670 22-58 Lake Road Mink Creek Culvert Project

\$ 50,000 to .52670 22-59 North Geneva Rd Paving Project  
\$ 50,000 to .52670 22-60 Wayne Center Rd Recycle Project  
\$ 50,000 to .52670 22-61 Wayne Center Rose Rd Paving Project  
\$ 90,000 to .52670 22-62 Lakes Corners Rose Valley Drainage Project  
\$ 50,000 to .52670 22-63 Lakes Corners Rose Valley Recycle Project  
\$ 50,000 to .52670 22-64 Lakes Corners Rose Valley Paving Project  
\$ 50,000 to .52670 22-65 Lake Bluff Rd Culvert Project  
\$300,000 to .52670 21-50 Surface Treating East Project  
\$300,000 to .52670 21-51 Surface Treating West Project  
\$ 60,000 to .52664 21-32 County House Rd Project  
\$ 25,000 to .52664 21-42 North Geneva Road Project  
\$155,000 to .52663 20-70 Marion East Williamson  
\$ 20,000 to .52663 20-79 Lake Rd Culvert Project

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

**RESOLUTION 85-22: AUTHORIZATION TO EXECUTE AGREEMENT WITH JOHNSON CONTROLS FOR FIRE SUPPRESSION SYSTEMS INSPECTIONS AND TESTING**

Mr. Chatfield presented the following:

WHEREAS, Wayne County is required to perform bi-annual inspections and testing on three FM-200 fire suppression systems located in the Public Safety Building; and

WHEREAS, the County's current contract with Johnson Controls, formally Simplex Grinnell, is set to expire on 2/28/2022; and

WHEREAS, these inspection and testing services are available from Johnson Control through NYS Contract PT68816; and

WHEREAS, Johnson Controls has provided the County a three year proposal for said services at an annual fee of \$2,400.00; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute contracts accordingly, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Johnson Controls for the contract period of March 1, 2022 through February 28, 2025 for Fire Suppression System Inspections and Testing for an annual fee of \$2,400.00; and be it further

RESOLVED, NYS Contract PT68816 will be used for any replacement parts or repairs needed over the duration of this contract.

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

**RESOLUTION 86-22: AUTHORIZATION TO EXECUTE AGREEMENT WITH JOHNSON CONTROLS FOR FIRE ALARM INSPECTION, TESTING AND MONITORING SERVICES**

Mr. Chatfield presented the following:

WHEREAS, Wayne County is required to perform annual inspections, testing and monitoring on all fire alarm systems throughout County owned buildings; and

WHEREAS, the County's current contract with Johnson Controls, formally Simplex Grinnell, is set to expire on 2/28/2022; and

WHEREAS, The County utilizes mainly Simplex Fire Alarm systems and equipment throughout its 15 office buildings; and

WHEREAS, it is advantageous for the County to utilize Johnson Controls to perform these inspections and services as they are the only vendor authorized to make repairs on their systems and equipment; and

WHEREAS, Johnson Controls has provided the County with a three year proposal for said services at an annual fee of \$15,271.75. now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute contracts accordingly, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Johnson Controls for the contract period of March 1, 2022 through February 28, 2025 for Fire Alarm Inspection, Testing and Monitoring services for an annual fee of \$15,271.75 and be it further

RESOLVED, NYS Contract PT68816 will be used for any replacement parts or repairs needed over the duration of this contract.

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

**RESOLUTION 87-22: AUTHORIZATION TO AMEND LEASE AGREEMENT WITH MOSAIC HEALTH FOR ADDITIONAL OFFICE SPACE AND ALLOW OFFICE MODIFICATIONS**

Mr. Chatfield presented the following:

WHEREAS, Mosaic Health formally Rochester Primary Care Network (RPCN) currently leases approximately 1561 sqft in the Health Services Building; and

WHEREAS, Mosaic Health has contacted the Deputy Superintendent of Public Works about some minor changes to their current area; and

WHEREAS, Mosaic Health has also requested to construct an additional 7'7" x 12'2" (92sqft) office directly adjacent to their currently space; and

WHEREAS, the new office space square footage will be taken from the current 2<sup>nd</sup> floor storage area; and

WHEREAS, Mosaic Health has agreed to pay for all design and construction costs associated with the modifications and additional space; and

WHEREAS, the Deputy Superintendent has reviewed the proposed modifications and additional space request and agrees with the proposed work; and



WHEREAS, Mosaic Health will be charged for the additional occupied square footage per the terms of the original agreement; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to amend the lease agreement with Mosaic Health, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content for additional office space in the Health Services Building.

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

**RESOLUTION 88-22: AUTHORIZATION TO AMEND TRANE SERVICE AGREEMENT**

Mr. Chatfield presented the following:

WHEREAS, in 2015 Wayne County completed a performance-based Energy Services Contract (ESCO) with Trane U.S. Inc. which guaranteed annual energy savings over a 20 year period; and

WHEREAS, Resolution 32-19 approved an agreement for annual maintenance, energy measurement and verification services for six (6) buildings to guarantee these savings; and

WHEREAS, Resolution 253-20 approved adding the newly renovated 16 William Street building to the agreement which brought the annual cost to \$54,427; and

WHEREAS, Resolutions 529-20 modified the agreement and removed the annual measurement and verification fee reducing the annual cost in 2021 to \$49,223.00 and

WHEREAS, the 9 Pearl Street renovation project is near completion and includes a new cooling and ventilation system that should be maintained to ensure proper operation and maximum energy savings for the County; and

WHEREAS, the Deputy Superintendent of Public Works has also decided to remove the Nursing Home chiller maintenance from this Trane service agreement and contract that service separately; and

WHEREAS, Trane has provided the County a cost reduction of \$2,567.00 for the 2022 maintenance agreement for these changes; and

WHEREAS, the new 2022 annual cost for all six (6) County buildings for calendar year 2022 will be \$46,656.00 with a 2.5% annual increase for each supplementary year; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign the Trane amendment for removal of the Nursing Home Chiller and the addition of equipment at 9 Pearl Street, subject to the County Attorney's review as to form and content.

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

**RESOLUTION 89-22: AUTHORIZATION TO APPOINT MEMBERS TO THE WAYNE COUNTY SOIL & WATER CONSERVATION DISTRICT BOARD OF DIRECTORS**

Mr. Chatfield presented the following:

WHEREAS, the Wayne County Board of Supervisors, pursuant to the Soil and Water Conservation District Law, Section 6.1, Designation of the District Directors, is appointing the following members to the Wayne County Soil & Water Conservation District Board of Directors:

Richard Lasher, Legislature annual – expiration of appointment December 31<sup>st</sup> 2022  
Lynn Chatfield, Legislature annual – expiration of appointment December 31<sup>st</sup> 2022  
Patricia VanLare, Grange - expiration of appointment December 31<sup>st</sup> 2023  
Mark Humbert, Farm Bureau - expiration of appointment December 31<sup>st</sup> 2022  
Steven Olson, Member at Large - expiration of appointment December 31<sup>st</sup> 2022

WHEREAS, the Wayne County Board of Supervisors sends notification for the appointment of Richard Lasher and Lynn Chatfield to serve as their representatives on the Soil and Water Conservation District Board of Directors for 2022; and

WHEREAS, The Wayne County Grange has sent notification for the appointment to Patricia VanLare as their representative on the Soil & Water Conservation District Board of Directors for a regular term of three years through the term of December 31<sup>st</sup> 2023;

WHEREAS, The Wayne County Farm Bureau has voted and agreed at the October Meeting of 2019 to appoint Mark Humbert as their representative on the Soil & Water Conservation District Board of Directors for a regular term of three years through the term of December 31<sup>st</sup> 2022; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors appoints the members listed above to the Wayne County Soil & Water Conservation District Board of Directors.

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

**RESOLUTION 90-22: AUTHORIZATION FOR DISTRICT ATTORNEY AND CHAIRMAN TO EXECUTE ANNUAL FEDERAL EQUITABLE SHARING AGREEMENT AND CERTIFICATION REPORT FOR YEAR ENDING 12/31/21**

Mr. Eygnor presented the following:

WHEREAS, the District Attorney and the Chairman of the Board of Supervisors are requested to file an Annual Federal Equitable Sharing Agreement and Certification Report in order to continue to receive illegal narcotics monies forfeited through the federal government; now therefore be it

RESOLVED, that Chairman of the Wayne County Board of Supervisors and the Wayne County District Attorney are hereby authorized and directed to sign the Federal Annual Equitable Sharing Agreement and Certification Report on behalf of the County of Wayne and

the Federal Equitable Sharing Agreement.

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

**RESOLUTION 91-22: AUTHORIZATION TO AMEND 2022 DISTRICT ATTORNEY BUDGET FOR DCJS DISCOVERY GRANT FUNDING RECEIVED BUT UNSPENT IN 2021, AND TO PAY CONTRACTED SERVICES, PROGRAMS AND EQUIPMENT FROM THE GRANT**

Mr. Eygnor presented the following:

WHEREAS, that new Discovery and Bail Laws enacted January 1, 2020 will increase costs to the County, of which some will be onetime costs to the County and others will be ongoing annual costs, and

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) has approved and in June of 2021 provided \$280,379 in funding to assist the County and District Attorney's Office with expenses related to the new Discovery and Bail Laws; and

WHEREAS, the Wayne County Board of Supervisors by and through Chairman Kenneth Miller having approved said funding by adopting Resolution 130- 21; and

WHEREAS, there is \$58,899 of Discovery funding for various identified purposes that was not spent in 2021 or included in the 2022 budget, that need to be added to the 2022 budget appropriations in order to be expended; and

WHEREAS, a portion of the funding can be used to fund support programs through Pre-Trial Services and local municipal police agencies, to wit: Newark Village Police, Clyde Village Police and Town of Macedon Police Departments; and

WHEREAS, the Wayne County District Attorney is hereby requesting that the 2022 Budget be amended to carry over \$58,899 of Discovery related funding that fell to Fund Balance at the end of 2021, and to expend \$17,933.85 of those funds for contractual services and or programs/equipment of Pre-Trial and municipal police agency Discovery funded expenses as set forth below according to the attached invoices; now, therefore be, it

RESOLVED, that Chairman of the Wayne County Board of Supervisors is hereby authorized to approve payment of \$17,933.85 for said services, programs/equipment as set forth below:

\$7,000.00 to Wayne County Pre-Trial Services for EHM Monitoring Software.  
\$6,068.85 to Village of Newark for NPD A/V Equipment and Data Storage  
\$1,422.00 to Macedon Police Department for Body Camera Upgrade and Data Storage  
\$3,443.00 to Village of Clyde for Body Camera Upgrade and Data Storage.

RESOLVED, that the County Treasurer is authorized to transfer \$58,899 of Unassigned General Fund Balance and adjust the 2022 budget as followings:

**A1165 District Attorney**

(Appropriations)

\$15,000 to 51904 Overtime  
\$2,765 to 54150 Office Supplies  
\$36,134 to 54400 Contracted Services  
\$5,000 to 54483 Training, Seminars & Schools

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

**RESOLUTION 92-22: AUTHORIZATION FOR DISTRICT ATTORNEY TO PAY MILEAGE COSTS TO FORBES COURT REPORTING SERVICES, L.L.C. FOR GRAND JURY STENOGRAPHIC SERVICES**

Mr. Eygnor presented the following:

WHEREAS, the Wayne County District Attorney entered into a verbal agreement on or about January of 2020 with Forbes Court Reporting Services L.L.C., to provide stenographic services for Grand Jury Proceedings; and,

WHEREAS, a discounted rate was agreed upon for a maximum of \$120.00 per day (discounted by \$ 80.00) plus transcription costs of \$4.00 per page; and,

WHEREAS, said verbal agreement also included payment for mileage to cover transportation costs and the County having paid said costs up to October 2021, said mileage reimbursement language was mistakenly left out of an interim contract from October 2021 to December 31, 2021 which resulted in \$476 of mileage not being paid to Forbes Court Reporting Services; and,

WHEREAS, Forbes Court Reporting Services L.L.C., has performed and provided it's agreed upon services in good faith relying on the promised fees and costs, now it is therefore;

RESOLVED, that the Wayne County Chairman of the Board of Supervisors hereby authorizes payment for mileage costs to Forbes Court Reporting Services L.L.C. related to the verbal contract in the amount of \$476.00 as per the attached mileage log submitted by said agency.

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

**RESOLUTION 93-22: AUTHORIZATION FOR DISTRICT ATTORNEY TO ENTER INTO A SHORT TERM INTERIM CONTRACT WITH FORBES COURT REPORTING SERVICES, L.L.C. FOR GRAND JURY STENOGRAPHIC SERVICES**

Mr. Eygnor presented the following:

WHEREAS, that the Wayne County District Attorney entered into an interim contract with Forbes Court Reporting Services, L.L.C. for the provision of stenographic services for Grand Jury Proceedings that ended December 31, 2021, and

WHEREAS, it is essential that the District Attorney's Office, its Attorneys and staff are responsible to the Court to conduct Grand Jury Proceedings and to fulfill its Discovery obligation; and,

WHEREAS, the Wayne County District Attorney is requesting approval to enter into a second short term interim contract with Forbes Court Reporting Services L.L.C. to provide stenographic services for Grand Jury Proceedings, in order to continue to receive such services without interruption until the County requests bids for and can enter into a new contract for said services after the results of the bidding process have been completed, but no later than June 30<sup>th</sup>, 2022; and,

WHEREAS, Forbes Court Reporting Services L.L.C., has agreed to a daily rate of \$150.00 per day and transcription cost of \$4.25 per page, now it is therefore;

RESOLVED, that the Wayne County Chairman of the Board of Supervisors is hereby authorized to execute a short term interim contract with Forbes Court Reporting Services L.L.C., for the provision of stenographic services for Grand Jury Testimony, subject to the approval of the County Attorney as to form and content.

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

**RESOLUTION 94-22: AUTHORIZATION TO ADOPT NEW CORONER'S FEE SCHEDULE FOR BODY REMOVAL, TRANSPORTATION SERVICES AND AUTHORIZATION OF CONTRACTS WITH WAYNE COUNTY FUNERAL HOMES**

Mr. Eygnor presented the following:

WHEREAS, resolution 565-20 duly enacted on December 15, 2020 authorized contracts with various funeral homes within Wayne County as well as contiguous counties for body removal and transportation services; now therefore be it

RESOLVED, that the removal and transportation fee for funeral directors on Coroner cases be set at \$400.00, plus actual cost of body bag as needed, for transport to the morgues at Newark-Wayne Community Hospital or Clifton Springs Hospital effective January 1, 2022. The County will not reimburse for mileage; and be it further

RESOLVED, that exigent circumstance reimbursement shall be reviewed by the Finance Committee on a case by case basis for presentation of the Board of Supervisors for reimbursement; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute contracts with the various funeral homes within Wayne County as well as contiguous counties as necessary, subject to the County Attorney's approval as to form and content for the period January 1, 2022 through December 31, 2022.

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

**RESOLUTION 95-22: AUTHORIZATION TO EXTEND AGREEMENT WITH BLACK CREEK INTEGRATED SYSTEMS FOR ANNUAL MAINTENANCE OF THE SALLY PORT JAIL MANAGEMENT SOFTWARE AND SECURITY SYSTEMS FOR THE WAYNE COUNTY JAIL**

Mr. Eygnor presented the following:

WHEREAS, the Wayne County Sheriff's Office Jail Facility utilizes Black Creek Integrated Systems for annual Sally Port Jail Management software and security systems; and

WHEREAS, the support, software updates and maintenance are essential to the ongoing function of the Sally Port Management and security systems; and

WHEREAS, the Sheriff's Office is desirous of extending the agreement with Black Creek Integrated Systems for the period of 1/1/2022 - 12/31/2022; and

WHEREAS, the annual maintenance cost of the two systems is \$75,103 (Sally Port Jail Management software is \$59,202 and security system is \$15,901); now, therefore be it

RESOLVED, that the Sheriff and Chairman of the Board of Supervisors is hereby authorized to enter in an extended agreement from 1/1/2022 – 12/31/2022 with Black Creek Integrated Systems, P.O. Box 101747, Irondale, Alabama 35210 for annual Sally Port Jail Management software and security systems support, software updates and maintenance at an annual cost of \$75,103 as previously approved in the Sheriff's 2022 Budget, subject to the County Attorney's review and approval as to form and content.

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

**RESOLUTION 96-22: AUTHORIZATION TO AMEND LEASE AGREEMENT WITH AXON ENTERPRISE, INC. TO INCLUDE INTERVIEW RECORDING PLATFORM FOR THE SHERIFF'S OFFICE**

Mr. Eygnor presented the following:

WHEREAS, the Wayne County Sheriff's Office performs breathalyzer tests in a room located in the Public Safety Building; and

WHEREAS, the breathalyzer tests, as a result of Discovery rules, need to be documented via video surveillance equipment; and

WHEREAS, Resolution 548-20 authorized the Sheriff to enter into a lease agreement to bundle the current electronic control devices, body cameras, car cameras, auto tagging, interview room cameras and recording devices, training items and certifications, and community programs to receive preferred pricing discounts; and

WHEREAS, the Sheriff is requesting to include the Interview Recording Platform for the

Breathalyzer Room to the existing lease agreement with Axon Enterprise, Inc. for the remaining (4) years from January 01, 2022 through December 31, 2025 at a cost of \$7,227.05 for year 1, \$8,774.05 for year 2, and \$8,774.05 for year 3, and \$8,774.05; and

WHEREAS, the Sheriff will pay Year 1 (\$7,277.05) for Interview Recording Platform for the Breathalyzer Room with the 2021 SLETPP Grant and will place in the Sheriff's Budget for remaining three years at a total cost of \$26,322.15; and

WHEREAS, the revenue for the SLETPP Grant was already budgeted in the 2022 County Budget with no corresponding budgeted appropriation; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors and the Sheriff are hereby authorized to amend the existing lease agreement to include the Interview Recording Platform with Axon Enterprise, Inc., of 17800 North 85<sup>th</sup> Street, Scottsdale, Arizona 85255 for 4 years from January 1, 2022 through December 31, 2022 at a cost of \$7,227.05 for year 1, \$8,774.05 for year 2, and \$8,774.05 for year 3, and \$8,774.05 and upon review and approval by the County Attorney as to form and content; and, be it further

RESOLVED, that the Wayne County Treasurer is authorized to make the following adjustment to the 2022 Wayne County Budget:

A1990 Contingent Fund General  
(Appropriations)  
\$7227.05 from 54000 Contractual Expenses

A3114 Sheriff- Road Patrol  
(Appropriations)  
\$7227.05 to 54437 Lease

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

**RESOLUTION 97-22: AUTHORIZATION TO RE-APPROVE TWO (2) PART-TIME COMMUNITY SCHOOL SAFETY LIAISON POSITIONS FOR THE WAYNE COUNTY SHERIFF'S OFFICE**

Mr. Eygnor presented the following:

WHEREAS, the Wayne County Sheriff's Office received a 3 year grant from the Department of Justice of Community Oriented Police Services (COPS) thru School Violence Prevention Program; and

WHEREAS, the grant provided funding for (2) Part-time Community School Liaison positions that are civilian/non-sworn positions each year of the three year grant, and

WHEREAS, the grant funding for year 2 (2022) is \$88,557, year 3 (2023) is \$91,213; and

WHEREAS, Resolution 138-21 requested the Sheriff annually submit for Board approval of the positions as long as the Department of Justice Community Oriented Police Services (COPS) School Violence Prevention Program funds the positions; and

WHEREAS, the Sheriff is requesting the re-approval for (2) part-time Community School Liaison civilian/non-sworn positions at the hourly rate of \$22.00; and

WHEREAS, the Sheriff will present a resolution to abolish the positions once the grant funding ceases to exist; now, therefore, be it

RESOLVED, that (2) part-time Community School Liaison civilian/non-sworn positions are hereby re-approved to work no more than 30 hours weekly; and, be it further

RESOLVED, that the Sheriff has the authority to continue provisionally the (2) part-time Community School Liaison (civilian/non-sworn) positions with funds from the Department of Justice Community Oriented Police Services (COPS) School Violence Prevention Program grant and is not to exceed the annual amount funded by the grant; and, be it further

RESOLVED, that the Community School Liaison civilian/non-sworn positions will be abolished upon approval of a resolution presented by the Sheriff to abolish the positions, or once the Department of Justice Community Oriented Police Services (COPS) School Violence Prevention Program grant funding ends.

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

**RESOLUTION 98-22: AUTHORIZATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE WAYNE COUNTY YOUTH ADVOCATE PROGRAM, INC. FOR DISCIPLINARY REDUCTION OFFENDER PROGRAM SERVICES AT THE WAYNE COUNTY JAIL FACILITY**

Mr. Eygnor presented the following:

WHEREAS, the Wayne County Sheriff's Office has utilized the services of Wayne County Youth Advocate Program, Inc., hereinafter known as (YAP), for a Disciplinary Reduction Offender Program services to provide problem solving and counseling services to inmates in the Wayne County Jail; and

WHEREAS, the Wayne County Sheriff's Office Inmate Commissary Fund provides remuneration to YAP for stated services rendered, and there is no cost to the County taxpayers; and

WHEREAS, the Sheriff's Office's cost for such services from YAP will not exceed \$10,000 for 12 months of service; and

WHEREAS, the Sheriff is requesting to enter into Memorandum of Understanding with YAP for the continued Disciplinary Reduction Offender Program services to inmates at the Wayne County Jail, for a 12 month period commencing January 1, 2022 through December 31, 2022, at a cost not to exceed \$10,000, to be paid from the Inmate Commissary Fund, at no expense to County taxpayers; now, therefore, be

RESOLVED, that the Wayne County Sheriff is hereby authorized to enter into a

Memorandum of Understanding with YAP for continued Disciplinary Reduction Offender Program services to inmates at the Wayne County Jail, at a cost not to exceed \$10,000 for a 12 month period commencing January 1, 2022 through December 31, 2022 to be paid from the Sheriff's Office Inmate Commissary Fund and at no expense to County taxpayers, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 99-22: AUTHORIZATION TO ENTER INTO AGREEMENT WITH OAK PARK MARINA FOR FREE BOAT SPACE RENTAL FOR THE SHERIFF'S OFFICE**

Mr. Eynor presented the following:

WHEREAS, historically the Sheriff's Office has docked and staged the Sheriff's Office Marine Patrol vessels in Sodus Point, NY at Krenzer's Marina and the U.S. Coast Guard Station, Sodus Point and since 2017 at Oak Park Marina, 6483 Catchpole Shore Road, North Rose, NY 14516 in the Town of Huron; and

WHEREAS, to better respond throughout the 2022 boating season the Sheriff is desires to continue boat space rental at Oak Park Marina in the Town of Huron; and

WHEREAS, the Sheriff has been offered donated boat space dockage for the Sheriff's Marina Patrol's 22' Zodiac, 33' Safe Boat and other vessels of the Sheriff's Office as needed for the 2022 boating season by Oak Park Marina, and

WHEREAS, to avoid the appearance of steering business to Oak Park Marina, no fuel or other goods will be purchased from Oak Park Marina by the Sheriff's Marine Patrol unless needed in an emergency situation: and

WHEREAS, the Sheriff is requesting permission to enter into an agreement with Oak Park Marina in the Town of Huron for donated boat space dockage for the Sheriff's Marine Patrol as needed for the 2022 boating season from April 1, 2022 through November 30, 2022, at no cost to the County taxpayers; now, therefore, be it,

RESOLVED, that the Sheriff is hereby authorized to enter into agreement with Oak Park Marina at 6483 Catchpole Shore Road, North Rose, NY 14516 in the Town of Huron for donated boat space dockage for the Sheriff's Marine Patrol as needed for the 2022 boating season from April 1, 2022 through November 30, 2022, at no cost to County taxpayers, subject to approval from the County Attorney as to form and content.

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

**RESOLUTION 100-22: AUTHORIZATION TO AMEND AGREEMENT WITH NEW YORK STATE PUBLIC SAFETY EMERGENCY LIGHTING (NYSPSEL) FOR EMERGENCY VEHICLE EQUIPMENT/ACCESSORIES, MAINTENANCE, REPAIR, AND INSTALLATIONS**

Mr. Eynor presented the following:

WHEREAS, Resolution No. 221-21 authorized the award of a bid and execution of a contract for emergency vehicle equipment/accessories, maintenance, repair, and installations, as an all-inclusive service; and

WHEREAS, at the time, one bid was received from New York State Public Safety Emergency Lighting (NYSPSEL); and

WHEREAS, the following prices were proposed in the bid and included in the resulting executed contract titled 'WCC21143:

Total Cost of Labor, Per Vehicle – For Installation Services  
For New County Patrol Vehicle for Each Contract Year  
Year 1 \$3,000  
Year 2 \$3,000  
Year 3 \$3,000

and,

WHEREAS, the bid was misquoted by New York State Public Safety Emergency Lighting who failed to take into account the additional installation charges for the in-car camera system in the new patrol cars; and

WHEREAS, New York State Public Safety Emergency Lighting is requesting to amend the prices in the agreement as follows:

Total Cost of Labor, Per Vehicle – For Installation Services  
For New County Patrol Vehicle for Each Contract Year  
Year 1 \$3,650  
Year 2 \$3,650  
Year 3 \$3,650

and,

WHEREAS, it is recommended that this amendment to the agreement be approved to ensure service for Public Safety vehicles is not disrupted; now, therefore, be

RESOLVED, that the amendment to the May 1, 2021 to April 30, 2024 contract #WCC21143 with NYSPSEL is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the amendment on behalf of Wayne County with New York State Public Safety Emergency Lighting (NYSPSEL), subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 101-22: AUTHORIZATION TO CONTRACT WITH HEALTHDIRECT PHARMACY FOR THE WAYNE COUNTY JAIL**

Mr. Eygnor presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for proposals for pharmacy services for the Wayne County Jail and the Nursing Home, asking vendors to provide one set of pricing to be applicable to both facilities, and

WHEREAS, proposals were received from the following pharmacies and were evaluated using several criteria, which included a cost analysis formula to compare pricing:

- HealthDirect Pharmacy
- Omnicare Pharmacy
- Buffalo Pharmacies
- PharMerica Pharmacy

and,

WHEREAS, after review of each proposal it has been determined that the proposal submitted by HealthDirect is overall the most cost effective in the areas of pharmaceutical purchases and it is therefore recommended that HealthDirect be awarded the contract; and

WHEREAS, a provision of the RFP stipulates that the awarded vendor agrees to sell Wayne County all prescription drugs at a price equal to or better than the best price offered in any other contract of a similar nature held by the vendor for the duration of the contract between the vendor and the county; including pricing offered as a result of OGS contract award; now, therefore, be it

RESOLVED, that the proposal from HealthDirect be accepted in accordance with the proposal received and at the following rates:

**PHARMACEUTICAL AND PRESCRIPTION SERVICES**

Publisher of Prescription Drug Pricing: MediSpan

**BRAND NAME DRUGS:**

WAC minus 9.3% per prescription

**GENERIC DRUGS:**

Single Source AWP minus 26% per prescription

Multiple Source AWP minus 85% per prescription

**HIGH COST TIER DRUGS:**

AWP minus 19% per prescription

**OVER THE COUNTER (OTC)**

AWP minus 10% per prescription

**INFUSION PRODUCTS:**

**BRAND NAME DRUGS:**

WAC minus 10% per prescription

**GENERIC DRUGS:**

AWP minus 75% per prescription

and be it further,

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute a contract on behalf of the Wayne County Jail, with HealthDirect Pharmacy for the provision of pharmaceutical and prescriptions for a three (3) year period, with the option to renew for two (2) additional (1) year periods, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 102-22: AUTHORIZATION TO AMEND BUDGET AND PURCHASE WINDOWS 10 ENTERPRISE LONG TERM SERVICING BRANCH (LTSC) 2021 UPGRADE LICENSE**

Mr. Eygnor presented the following:

WHEREAS, Wayne County has been using an earlier version of this software in MDT's and 911; and

WHEREAS, Windows 10 Enterprise LTSC 2021 builds on Windows 10 Enterprise, version 21H2 adding premium features designed to address the needs of large and mid-size organizations (including large academic institutions), such as:

- Advanced protection against modern security threats
- Full flexibility of OS deployment
- Updating and support options
- Comprehensive device and app management and control capabilities; and

WHEREAS, The Windows 10 Enterprise LTSC 2021 release is an important release for LTSC users because it includes the cumulative enhancements provided in Windows 10 versions 1903, 1909, and 21H1; and

WHEREAS, this upgrade is necessary to implement multi-factor authentication in MDT's, which is now a federal requirement; and

WHEREAS, the cost to purchase this upgraded license is \$37,372 for 200 licenses; now, therefore be it

RESOLVED, that the Wayne County Purchasing Agent is hereby authorized to purchase said licenses; and be it further

RESOLVED, that the Treasurer is authorized to transfer said funds:

**A1990-Contingency Fund General**

(Appropriations)  
\$37,372 from 54000 Contractual

**A3643 Public Safety Communications**

(Appropriations)  
\$37,372 to .54475 Software

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

**RESOLUTION 103-22: AUTHORIZATION TO EXECUTE A FURTHER EXTENSION AGREEMENT TO ILS DISTRIBUTION #8, CONTRACT C800054, BETWEEN NEW YORK STATE INDIGENT LEGAL SERVICES AND THE COUNTY OF WAYNE**

Mr. Eygnor 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 in improving 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 \$495,423.00 under Contract Number C800054, ILS Distribution #8, on January 1, 2018; and

WHEREAS, Wayne County accepted said grant by Wayne County Resolution Number 382-19 on July 16, 2019; and

WHEREAS, the term of Contract C800054, ILS Distribution #8, is for three years, from January 1, 2018 through December 31, 2020; and

WHEREAS, on December 7, 2020, Wayne County filed a No-Cost Contract Extension Request Letter for ILS Distribution #8 Grant with Indigent Legal Services; and New York State Indigent Legal Services approved said Extension Request and submitted an Extension Contract for one year from January 1, 2021 through December 31, 2021, which was reviewed and executed by Wayne County in April of 2021,

WHEREAS, A further Extension of Distribution #8 to December 31<sup>st</sup>, 2022 has been requested and approved by ILS and an Extension Contract for one year from January 1, 2022 to December 31, 2022 is available; and 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 Distribution #8, Contract C800054, with New York State Indigent Legal Services to run from January 1, 2022 through December 31, 2022, subject to approval by the County Attorney as to form and content and be it further

RESOLVED, that the Wayne County Treasurer is authorized to amend the Public Defender 2022 Budget as follows;

**A1170 Public Defender**

(Revenues)  
\$1,518.42 to 43024-ILS18 Indigent Legal Services Fund Indigent Legal Services  
Distribution #8  
(Appropriations)  
\$1,518.42 to 54485-ILS18 Travel Indigent Legal Services Distribution #8

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

**RESOLUTION 104-22: AUTHORIZATION TO ACCEPT NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES GRANT, DISTRIBUTION #12, NEW YORK STATE CONTRACT NUMBER C120054 FOR THE WAYNE COUNTY PUBLIC DEFENDER**

Mr. Eygnor presented the following:

WHEREAS, New York State Office of Indigent Legal Services has advised the Wayne County Public Defender and the Wayne County Administrator of the availability of a non-competitive grant in the amount of \$247,713.00 for Indigent Legal Services; and

WHEREAS, Wayne County has received notification that the distribution in the amount of \$247,713.00 has been awarded under Contract Number C120054; and

WHEREAS, the term of said Contract Number C120054 is January 1, 2022 thru December 31, 2024; and

WHEREAS, this grant funding shall be used for the following:

- To continue funding of the salary and benefits of the full-time Sentence Mitigation Specialist, in continuation of the prior funding received for said position by virtue of ILS Distribution #9, Contract Number C900054; and

WHEREAS, the amount of the first year of this Distribution is already budgeted as revenue in the Public Defender's 2022 budget in the amount of \$82,571 so no budget modification is now required, now, therefore, be it

RESOLVED, that the County Administrator is authorized to accept ILS Distribution #22, Contract Number C120054, and that the Chairman of the Wayne County Board of Supervisors is authorized to sign the required contract subject to the review and approval by the Wayne County Attorney of said Indigent Legal Services Grant Contract as to content and form.

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

**RESOLUTION 105-22: AUTHORIZATION TO AMEND WAYNE COUNTY CONTRACT WCC21289, A ONE YEAR CONTRACT WITH AGUIRRE LANGUAGE SERVICES**

Mr. Eynor presented the following:

WHEREAS, the original one year contract with Aguirre Language Services [WCC21289], providing the Wayne County Public Defender with access to vital and necessary Spanish interpretation and translation services, having been approved by the Wayne County Attorney and signed by Chairman Kenneth Miller on November 30<sup>th</sup>, 2021, and;

WHEREAS, since entering into the above-referenced contract with Aguirre Language Services, the Public Defender's Office has provided to the County Attorney documentation of an expanded scope of services and rates including compensation for reasonable mileage costs incurred in connection with the services provided to this office as documented by appropriate mileage logs to be submitted with all invoices; and

WHEREAS, the Public Defender's Office is desirous of amending the existing contract consistent with the submitted Rate Sheet and Scope of Work to include the mileage costs as therein described; and

WHEREAS, the amount of the contract will remain the same at \$17,000; now, therefore, be it

RESOLVED, that upon the review and approval of Aguirre Language Services and the Wayne County Attorney as to form and content, the Wayne County Chairman of the Board of Supervisors is hereby authorized to execute the stated amendment to the current one year contract WCC21289 between Wayne County and Aguirre Language Services.

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

**RESOLUTION 106-22: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS**

Mrs. Leonard presented the following:

WHEREAS, applications for correction of tax rolls in relation to parcels of property identified below have been filed with the Director of Real Property Tax Services ("Director"); and

WHEREAS, the Director investigated the circumstances of the claimed errors on the tax rolls and recommends that the applications be approved; now, therefore, be it

RESOLVED, pursuant to Article 5, Title 3 of the Real Property Tax Law, the applications are approved and the officers having jurisdiction of the tax rolls are hereby authorized to make the following corrections:

**TOWN OF ARCADIA**

2022 Tax Roll  
Account No. 68113-00-507438  
Assessed to: WCRLB  
Total Tax Difference \$2,226.40 Total County Tax Difference: \$ 424.07  
Corrected Total Tax: \$ 44.00

**TOWN OF HURON**

2022 Tax Roll  
Account No. 75117-00-048542  
Assessed to: WCRLB  
Total Tax Difference \$1,837.48 Total County Tax Difference: \$ 476.85  
Corrected Total Tax: \$ 40.00

**TOWN OF LYONS**

2022 Tax Roll  
Account No. 71111-13-172491  
Assessed to: WCRLB  
Total Tax Difference \$ 325.86 Total County Tax Difference: \$ -0-  
Corrected Total Tax: \$ -0-

**TOWN OF LYONS**

2022 Tax Roll  
Account No. 71111-09-157668  
Assessed to: WCRLB  
Total Tax Difference \$2,399.74 Total County Tax Difference: \$ -0-  
Corrected Total Tax: \$ -0-

**TOWN OF LYONS**

2022 Tax Roll  
Account No. 71111-05-076883  
Assessed to: WCRLB  
Total Tax Difference \$ 927.31 Total County Tax Difference: \$ -0-  
Corrected Total Tax: \$ -0-

**TOWN OF LYONS**

2022 Tax Roll  
Account No. 71111-09-138667  
Assessed to: WCRLB  
Total Tax Difference \$ 707.31 Total County Tax Difference: \$ -0-  
Corrected Total Tax: \$ -0-



**TOWN OF LYONS**

2022 Tax Roll  
Account No. 71111-09-141667  
Assessed to: WCRLB  
Total Tax Difference\$ 27.79 Total County Tax Difference: \$ -0-  
Corrected Total Tax: \$ -0-

**TOWN OF ROSE**

2022 Tax Roll  
Account No. 73116-20-852066  
Assessed to: WCRLB  
Total Tax Difference\$ 29.84 Total County Tax Difference: \$ -0-  
Corrected Total Tax: \$ 2.39

**TOWN OF ROSE**

2022 Tax Roll  
Account No. 73116-20-793081  
Assessed to: WCRLB  
Total Tax Difference\$1,554.82 Total County Tax Difference: \$ 361.06  
Corrected Total Tax: \$ 122.83

**TOWN OF ROSE**

2022 Tax Roll  
Account No. 73114-00-981948  
Assessed to: WCRLB  
Total Tax Difference\$ 186.73 Total County Tax Difference: \$ 42.06  
Corrected Total Tax: \$ 14.31

**TOWN OF SODUS**

2022 Tax Roll  
Account No. 69117-06-256936  
Assessed to: WCRLB  
Total Tax Difference\$2,336.83 Total County Tax Difference: \$ 395.03  
Corrected Total Tax: \$ -0-

**TOWN OF LYONS**

2022 Tax Roll  
Account No. 71111-09-197713  
Assessed to: WCRLB  
Total Tax Difference\$ 344.66 Total County Tax Difference: \$ -0-  
Corrected Total Tax: \$ 344.08

**TOWN OF LYONS**

2022 Tax Roll  
Account No. 71111-13-179465  
Assessed to: WCRLB  
Total Tax Difference\$1,597.75 Total County Tax Difference: \$ -0-  
Corrected Total Tax: \$ -0-

**TOWN OF LYONS**

2022 Tax Roll  
Account No. 65117-12-935514  
Assessed to: WCRLB  
Total Tax Difference\$715.11 Total County Tax Difference: \$ -0-  
Corrected Total Tax: \$ -0-

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

**RESOLUTION 107-22: TAX REFUND – ERROR ON TAX ROLL**

Mrs. Leonard presented the following:

WHEREAS, applications for refund of real property tax claimed to be attributable to an error on the tax roll has duly been filed with the Director of Real Property Tax Services (“Director”) for the properties listed below, pursuant to the provisions of Article Five, Title 3 of the Real Property Tax Law; and

WHEREAS, the Director investigated the circumstances of the claimed errors and has submitted a report recommending the applications be approved; now, therefore, be it

RESOLVED, pursuant to Article 5, Title 3 of the Real Property Tax Law that the following applications are hereby approved and the County Treasurer is hereby authorized and directed to pay the refunds:

**TOWN OF SODUS**

2022 Tax Roll  
Account No. 68116-00-537218  
Assessed to: Burditt, Timothy  
Total Tax Difference\$ 491.93 Total County Tax Difference: \$ -0-

Corrected Total Tax: \$ -0-

And be it further,

RESOLVED, that the County Treasurer is hereby authorized and directed to charge back the Refunds in the manner prescribed by Section 556 of the Real Property Tax Law.

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

**RESOLUTION 108-22: AUTHORIZATION TO ADVERTISE FOR SEALED BID FOR SALE OF COUNTY PROPERTY – TOWN OF ROSE**

Mrs. Leonard presented the following:

WHEREAS, the property located at 10712 Wolcott Road in the town of Rose was acquired by the County of Wayne by tax deed on June 16, 2021; and

WHEREAS, this property was not sold at auction due to legal challenges; and

WHEREAS, the case was dismissed by the Judge on January 18, 2022 and the County's foreclosure is allowed to continue; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized to sell the following property via sealed bid or auction:

TOWN	TAX ID#	LOCATION
Rose	74114-05-223963	10712 Wolcott Road

and be it further

RESOLVED, that all terms and conditions adopted by Resolution No. 245-20 for the conduct of the 2022 tax auction will apply to these sealed bids; and be it further

RESOLVED, that the advertising shall run two times in the Times of Wayne County and the Lakeshore News; and be it further

RESOLVED, that there is no minimum bid and the county reserves the right to reject all bids.

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

**RESOLUTION 109-22: AUTHORIZATION TO AMEND THE 2021 BUDGET AND APPROPRIATE FUNDS TO A8755 WAYNE COUNTY LAND BANK**

Mrs. Leonard presented the following:

WHEREAS, Resolution No. 300-20 was passed by the Board in July, 2020 to enter into an agreement with Wayne County Regional Land Bank, Inc. for an amount not to exceed \$500,000 for the period July 1, 2020 – December 31, 2021; and

WHEREAS, the contracted amount was not expensed by the County in 2020, and funds were not re-appropriated in the 2021 Wayne County adopted budget; and

WHEREAS, the Land Bank submitted an itemized invoice for 2021 expenses as of 12/15/2021 to the County totaling \$803,907 with a payment request of \$500,000 as allowable by the signed agreement; and

WHEREAS, these expenses were recognized by the County in December, 2021, with no appropriations budgeted in the A8755 Land Bank cost center; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to transfer \$500,000 from Unassigned General Fund Balance; and be it further

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

A8755 Land Bank  
(Appropriations)  
\$500,000 to 54000 Contractual Expenses

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

**RESOLUTION 110-22: AUTHORIZATION TO RENEW INSURANCE POLICIES WITH EASTERN SHORE ASSOCIATES**

Mrs. Leonard presented the following:

WHEREAS, the County has received a proposal from its current insurance broker, Eastern Shore Associates to renew its existing insurance program effective March 1, 2022 to March 1, 2023 for a premium of \$395,980.22; and

WHEREAS, the proposal includes the following insurance policies renewing with New York Municipal Insurance Reciprocal (NYMIR): Property, General Liability, Inland Marine, Automobile Liability, Public Officials Liability, Law Enforcement Liability, Catastrophic Excess Liability, Cyber Liability, Healthcare General Liability, Healthcare Professional Liability; and

WHEREAS, the proposal also includes crime coverage renewing with Travelers and inland marine coverage (insuring physical damage of certain trucks and heavy equipment) renewing with Liberty Mutual; and

WHEREAS, the proposal also includes crime coverage renewing with Travelers and inland marine coverage (insuring physical damage of certain trucks and heavy equipment) renewing with Liberty Mutual; and

WHEREAS, the proposal also includes an increase in the Healthcare Professional Liability deductible from \$100,000 to \$250,000 in order to offset a 15% premium increase; and WHEREAS, the expiring program included comparable coverage and deductibles except for the changes noted above, and carried an annual premium of \$388,355.38; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to renew the County's insurance policies through Eastern Shore Associates effective March 1, 2022 to March 1, 2023.

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

**RESOLUTION 111-22: AUTHORIZATION TO CONTRACT WITH VICTOR B. CHAMBERS, ESQ. TO ACT AS ASSIGNED COUNSEL ADMINISTRATOR**

Mrs. Leonard presented the following:

WHEREAS, that Resolution No. 391-20 authorized the acceptance of the 3<sup>rd</sup> year amendment to the New York State Office of Indigent Legal Services for the Statewide Expansion of Hurrell-Harring Reform – contract CTWIDEHH50, which included funding of \$45,000 for contracted Assigned Counsel Administrator services, and

WHEREAS, the Assigned Counsel Administrator is to be hired on a contract basis without benefits not to exceed \$45,000.00 in annual compensation; and

WHEREAS, the County of Wayne desires to maintain the Wayne County Assigned Counsel Program and to enter into a contractual agreement with V. Bruce Chambers to continue as Assigned Counsel Administrator through the end of 2022; and

WHEREAS, the County of Wayne has been assured by ILS that the distribution as set forth above will be paid; and

WHEREAS, Wayne County will be seeking an RFP for said ILS services in 2023; now therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to sign a contract on behalf of Wayne County with V. Bruce Chambers to serve as Administrator of the Assigned Counsel Program at an hourly rate of one hundred-fifty dollars (\$150.00) for a total annual compensation not to exceed \$45,000.00 for the fiscal year 2022, subject to the County Attorney's review as to form and content.

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

**RESOLUTION 112-22: AUTHORIZATION TO CONTRACT WITH VICTOR B. CHAMBERS, ESQ. TO ACT AS ASSIGNED COUNSEL ADMINISTRATOR (APPELLATE COUNSEL)**

Mrs. Leonard presented the following:

WHEREAS, Resolution # 117-21 authorized Wayne County to enter into an agreement with Victor B. Chambers, Esq. to act as Assigned Counsel Administrator regarding Appellate Counsel to review, audit and recommend approval or disapproval of claims filed by attorneys appointed pursuant to Article 18B of the County Law at a rate of seventy-five dollars (\$75.00) per hour for a term that commenced on January 1, 2021 and terminated December 31, 2021; and

WHEREAS, Mr. Chambers is willing to continue to provide said services to the County at an increased rate of one hundred-fifty dollars (\$150.00) per hour for a term commencing January 1, 2022 through December 31, 2022; now therefore be it

RESOLVED, that Chairman of Wayne County Board of Supervisors is authorized to enter into an agreement subject to the County Attorney's review and approval as to form and content with Victor B. Chambers, Esq. to provide the County with services consisting of Appellate Counsel Administrator to assign appellate counsel and to review, audit, recommend approval or disapproval of claims pursuant to Article 18B of the County law. Compensation shall be at a rate of one hundred-fifty dollars (\$150.00) an hour, for a total annual compensation not to exceed two thousand dollars (\$2,000.00). The term of said agreement shall commence January 1, 2022 and terminate December 31, 2022.

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

**RESOLUTION 113-22: AUTHORIZATION TO APPLY FOR FUNDING FROM THE VICTIMS OF CRIME ACT (VOCA) AND WITNESS ASSISTANCE GRANT PROGRAM**

Mr. Verno presented the following:

WHEREAS, the Victims of Crime Act (VOCA) Victim and Witness Assistance Grant Program has issued a request for applications (RFA) seeking funding requests for innovative and comprehensive programs to meet the needs of victims and underserved populations; and

WHEREAS, the primary purpose of this funding is intended to support services to victims of sexual assault, child abuse services or other victim-based services; and

WHEREAS, the funding is intended to complement existing program and operational budgets rather than serve as a primary funding source; and

WHEREAS, the funding places priority on supporting those programs that demonstrate multi-disciplinary cooperation; and

WHEREAS, the Wayne County Department of Social Services is desirous of seeking funding from this resource for the purpose of supporting the Child Advocacy Center, specifically those services afforded by the Wayne County Sheriff's Office that surpass regular

duties of criminal investigations and that strengthen the Wayne County Sheriff's Office's ability to engage officers in the goals and objectives of the Child Advocacy Center; now therefore be it

RESOLVED, that the Wayne County Department of Social Services is hereby authorized to submit a request for funding for the purpose of support for the Wayne County Sheriff's Office participation in the Child Advocacy Center's innovative and comprehensive programs.

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

**RESOLUTION 114-22: RESOLUTION IN OPPOSITION TO SENATE BILL S7855 AS IT RELATES TO THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

Mrs. Leonard presented the following:

WHEREAS, Western Region Off-Track Betting Corporation (WROTB) is a public benefit corporation with headquarters in Batavia, New York; and

WHEREAS, WROTB is owned and operated by 15 Western New York counties and the cities of Rochester and Buffalo; and

WHEREAS, the corporation owns and operates 11 off-track betting branches, 27 E-Z Bet locations and a telephone wagering service in 15 Western New York counties, as well as Batavia Downs Gaming, a standard bred racetrack and gaming facility; and

WHEREAS, since its inception, Western OTB has generated over \$250 million in operating and surcharge revenues to the taxpayers of those participating municipalities; and

WHEREAS, throughout its long history of serving 15 counties and two cities that comprise the corporation, the Board of Directors of WROTB has been comprised of one representative from each of the 17 municipalities; and

WHEREAS, in 1973, the Wayne County Board of Supervisors passed by resolution legislation that authorized and empowered Wayne County to participate in the WROTB that had recently been created by the state and signed by then Governor Nelson Rockefeller; and

WHEREAS, the 1973 legislation passed by the Wayne County Board of Supervisors was passed with the stipulation that it was "subject to permissive referendum and shall become effective in accordance with Section 24 of the Municipal Home Rule Law of the State of New York"; and

WHEREAS, New York State Senator Timothy M. Kennedy (D – Buffalo) has recently proposed Senate Bill S7855, an act to "amend the racing, pari-mutuel wagering and breeding law, in relation to the membership of the Board of Directors of the Western Regional Off-Track Betting Corporation"; and

WHEREAS, Sen. Kennedy's proposal calls for revising the current fair and equitable representation of the Board of Directors to three members to represent the counties of Monroe, Wyoming, and Orleans; a single member to represent the counties of Chautauqua, Cayuga, Genesee, Livingston, Schuyler and Seneca, four members to represent Erie County, one member to represent Niagara County, a lone member to represent the counties of Oswego, Cattaraugus, and Wayne; one member to represent the City of Buffalo, one member to represent the City of Rochester, one member appointed by the governor, one member appointed by the temporary president of the senate, and one member appointed by the speaker of the assembly; and

WHEREAS, under Senator Kennedy's proposal, Steuben County isn't provided any representation on the WROTB Board of Directors even though they have been a member of WROTB since 1973; and

WHEREAS, Sen. Kennedy's bill states that its intent is to "provide more equal representation of the people of the area who benefit from proceeds from said corporation"; and

WHEREAS, this legislation will in fact have the opposite effect of the stated intention in the bill, as it will decimate the balanced representation formula determined previously by both the state legislature and governor as equitable and impartial, with a clear and explicit intent of providing each municipality that comprises the corporation an equal voice in WROTB matters; and

WHEREAS, the performance and accomplishments of the current WROTB Board and leadership cannot be discounted when considering this drastic and overreaching legislation, including, but not limited to: the acquisition of an 84-room hotel on the grounds of Batavia Downs that has drawn rave reviews, countless fundraising events for charitable organizations that have benefitted thousands of families across western New York, including Make-A-Wish, the Batavia Police Department K-9 Unit, the Genesee County K-9 Unit, GLOW YMCA, Food Bank of Western New York, and the Breast Cancer Coalition of Rochester; and

WHEREAS, in 2021, Batavia Downs once again shattered attendance and wager records, with more than 625,000 attendees wagering nearly \$700 million this past year alone, leading to record earnings distributions for the 17 municipalities that have come to rely on their WROTB distributions to balance their local budgets while reducing the property tax burden for businesses and homeowners; and

WHEREAS, the current WROTB Board and leadership have successfully led the corporation through an incredibly difficult period in history, the COVID-19 pandemic, that has ravaged similar entities across the state and the country; and

WHEREAS, WROTB currently has 385 full and part-time employees with a payroll of \$12.5 million; individuals and families from every corner of our region, and all whom could be negatively impacted by this drastic proposal, now therefore be it

RESOLVED, that the Wayne County Board of Supervisors strongly opposes Senate Bill S7855, as it will cause irreparable harm to Wayne County, its interests in WROTB, the economic interests of Wayne County, and the taxpayers of this county, and be it further

RESOLVED, that the Wayne County Board of Supervisors does hereby call upon members of the New York State Senate to reject S7855, and be it further

RESOLVED, that a certified copy of this resolution be sent to Governor Kathy Hochul, Senator Pamela Helming, Assemblyman Brian Manktelow, InterCounty Association of WNY and those deemed necessary and proper.

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

**RESOLUTION 115-22: AUTHORIZATION TO APPOINT MEMBERS TO THE REGIONAL FISH AND WILDLIFE MANAGEMENT BOARD**

Mr. Johnson presented the following:

WHEREAS, pursuant to Section 11-0501 of the Environmental Conservation Law, this Board oversees a cooperative program for purposes of obtaining privately-owned or leased lands and waters of the State, practices of fish and wildlife management, which will preserve and develop fish and wildlife resources of the State and improve access to them for recreational purposes; and

WHEREAS, James Brady and Tommy Mettler have expressed an interest in becoming Wayne County's Legislator and Sportsman respectively on the Regional Fish and Wildlife Management Board; now, therefore, be it

RESOLVED, that the following individuals are hereby appointed to the Regional Fish and Wildlife Management Board, for two-year terms ending December 31, 2023

James Brady (Legislator)  
2785 McClelland Road  
PO Box 379  
Lyons NY 14489

ALTERNATE: Kenneth F. Miller  
1981 Maple Avenue  
Palmyra NY 14522

Tommy Mettler (Sportsman)  
5061 Wolcott Spring Lake Road  
Wolcott NY 14590

ALTERNATE: Kenneth F. Miller  
1981 Maple Avenue  
Palmyra NY 14522

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 Mark Gooding from the NYS Natural Resources Supervisor, Region 8.

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

**DISCUSSION**

Chairman Miller noted an e-mail he sent out yesterday to all Board members to bring any comments or questions they have regarding the Emergency Medical Service (EMS) transportation discussion that was held at the January Board meeting. ALS Director Jim Lee, EMS Coordinator Bill Liddle and Wayne County Medical Director Jamie Syrett, were present to answer questions.

Mr. Liddle said the County is currently operating in crisis mode when it comes to responding to emergency services. Wait times for an ambulance can take an hour. It is time for the County to move forward and accept their responsibility to do better for their residents. Mr. Liddle noted there used to be a higher number of citizens that were interested in volunteering to help their local ambulance agencies that is not the case anymore. He stated there is a need for ALS and EMS workers to be properly trained so they can perform the functions required of them; many

volunteers are not interested in the amount of training requested.

Dr. Syrett voiced his support for last month's proposal for the County to develop an ALS transportation system. He believes the residents of Wayne County deserve this and when an individual calls 911 they expect to receive the appropriate response to save a life. ALS and EMS workers now respond to more crisis calls than in the past. Transportation times use to be faster, but with the volume of calls and reduction in trained personnel in each community, it is time for the County to take action. Dr. Syrett said coordinating services between local ambulance services and the County can only improve the system. At this time there is no safety net for a municipal agency that is out on a call when another call is received. Dr. Syrett noted volunteer and locally paid agencies have to realize they rely on other agencies and people for coverage now. There have been ongoing communications with the agencies about the proposal. Last year the agencies were asked to provide information to the County regarding their agency; most did not reply. He said it is a disaster when an emergency call is received and 911 operators have to go down a call list looking for an available agency to be on the scene. The proposed transportation system would not be competing with municipal agencies; it would be complementing them.

Supervisor Robusto said the Board needs to focus on grass roots support, local ambulance agencies are not in favor of the County's proposition. Without local services working with the County, the proposed system will fail. His ambulance agency is not in favor of the proposal to have a countywide medical transportation system.

Mr. Lee said local ambulance agencies do a good job with what they have. The County is looking for a system that can back them up when they are already out on a call or do not have staff available to take a call. The proposal before the Board was never to take over municipal agencies, but to enhance their service. Mr. Lee stated years ago agencies were against the County forming an ALS fly car system and using County dollars to improve the medical emergency response system. Now the two response systems work well together. The proposal would allow for a back-up medical transport system to assist municipal agencies, not substitute for them. There are some municipal agencies that want the County to give them additional funding and not fund a new transportation service; Mr. Lee said this does not appear to be a solution to the problem of long medical emergency response times. The proposal before the Board needs to be acted on, as it will take a long time to implement.

Mr. Groat said the countywide emergency medical transportation system is based on the Fitch Report with follow-up by the study group. The County has an EMS group that meets regularly and municipal agencies are invited to attend; many do not. Local agencies may want the County to appropriate ARPA (American Rescue and Protection Act) funds to enhance their services; who will pay for the enhancements once this Federal funding is no longer available was questioned. The County's proposal will utilize ARPA funds, with plans to continue to financially maintain the service. Mr. Groat said the current emergency medical response time is not acceptable; he would like to see it lowered to under 15 minutes. He requested Supervisor Robusto put the concerns of his ambulance agency in writing so they can be specifically addressed.

Ms. Leonard stated the Town of Macedon has a \$750,000 budget for their ambulance service; the service works well. Her ambulance director does not feel the agency's concerns have been heard. They want to be included in the conversation. She is not against the proposal and understands there is a need for medical emergency transportation. Ms. Leonard said if the County moves forward with this proposal she does not want them spending any additional money on their fly-car system. She stated the need for all ambulance agencies to hear the same thing from the County. She questioned if one representative should be appointed from all the municipal ambulance agencies to hear what the County is proposing and return to the agencies with an update. She does not want the process held up while the same questions are

asked and re-asked. Ms. Leonard stated the need for the County to have a good billing system, as there are revenues that are available for transportation services.

Mr. Lee said response times are good in Macedon; however, when municipal aid is needed and back-up agencies are not available response time's increase. If the County does not do something countywide for medical transports, some local response agencies may not survive. He will continue to have discussions with municipal agencies about the proposal.

Mr. Miller said he believes the transition is a step in the right direction. There is a need to get all ambulance agencies in the same room to talk about this and help them understand the details of the proposal.

Mr. Lee said he did not want this discussion to continue every month. Mr. Eygnor stated his support of the proposal and the need to improve public safety. Mr. Donalty said he wants a fast response if he calls 911. The Fitch Study shows Wayne County can do better with their emergency medical response times. Mr. Brady stated both ALS and EMS services in Lyons need to improve and he would be glad to accept any help that is given to his town.

Mr. Lee asked if County Administrator House could be authorized to work with him on developing more concrete details and financial plans for the proposal. Mr. Miller said he would ask Supervisors to respond to him via e-mail if they are in favor of this or not.

Prior to adjourning the meeting, County Administrator Rick House thanked Ken Blake for his hard work and dedication to the County. Mr. Blake served 11 years with the County Administrator's Office as Fiscal Assistant and Deputy Budget Officer. Ken will be retiring on February 25, 2022.

**ADJOURNMENT:**

The next scheduled Board Meeting is **Thursday, March 17, 2022 at 9:00 a.m.** On motion of Mr. Eygnor and seconded by Mr. Lasher the Board adjourned the meeting at 10:56 a.m. Carried.

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

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