

7th Day
Tuesday, April 19, 2022

The regular meeting of the Board of Supervisors was held in their chambers in the Court House, Majority Leader Jolene Bender presiding.

The Pledge of Allegiance and invocation was led by Chairwoman Bender.

Upon roll call, all Supervisors were present except Supervisors Johnson, Robusto, Eygnor, Miller and Lasher.

County Attorney Daniel Connors was also present for this morning's session.

APPROVAL OF MINUTES:

Mr. Chatfield moved, seconded by Mr. Kolczynski, to waive the reading of the minutes of the March 17, 2022 meeting. Upon roll call, carried.

COMMUNICATIONS:

The Sheriff's Office Cash Receipts Report dated March 23, 2022 totaling \$13,955.01 was received and filed.

The County Auditor's Accounts Payable Report for monthly utilities, miscellaneous payments including the March 31, 2022 warrants for accounts payable, totaling \$7,055,260.56 was received and filed.

A letter from NY Power Authority (NYPA) was received regarding transmission tower painting in right-of-way's (ROW) for the purpose of operating and maintaining the Niagara Adirondack Transmission Line. NYPA will be contracting with PUM, Inc. starting in May, 2022 for this work.

Mr. Chatfield moved, seconded by Mrs. Leonard, that the April, 2022 communications be received and filed. Motion carried.

ANNUAL REPORTS

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

- Compliance
- District Attorney
- Human Resource
- Mental Health
- Public Health
- Sheriff

Motion carried.

PROCLAMATIONS

- Sexual Assault Awareness & Prevention and Child Abuse Prevention Month, April 2022 was read by District Attorney Mike Calarco.
- Supervisor Verno recognized Section V Class B Slalom and Giant Slalom Champion Nick Steurys from Williamson Central School District.
- Supervisor Verno also recognized Emergency Medical Services Week, May 15-May 21, 2022 with Emergency Management Director George Bastedo and Emergency Medical Services Coordinator Bill Liddle.
- Emergency Management Director George Bastedo recognized National Public Safety Telecommunicators Week, April 10-16th, 2022 with E911 Operations Manager Katie Dean.
- Supervisor Chatfield recognized Section V Class B Slalom and Giant Slalom Champion Vivian Bishop from North Rose-Wolcott Central School District.
- Supervisor Chatfield recognized Section V Indoor Track Champion Jack DeFeo from North Rose-Wolcott Central School District.
- Supervisor Mettler recognized New York State Youth Wrestling Champion 134 lbs., Carson Smith from North Rose-Wolcott Central School District.
- Supervisor Mettler recognized Section V B2 Wrestling Champion Noah Wazinski from North Rose-Wolcott Central School District.
- Kat Dillion from Finger Lakes Victim Resource Center recognized National Crime Victim's Week, April 24-April 30th, 2022.
- Supervisor Groat recognized Mental Health Month, May 2022 with Mental Health Director Jim Haitz and Deputy Mental Health Director Ed Hunt.
- Aging & Youth Director Amy Haskins read the proclamation for Older American's Month, May 2022.

PRIVILEGE OF THE FLOOR

There was no public comment for agenda items this morning.

SCHEDULED BUSINESS:

RESOLUTION 185-22: AUTHORIZATION TO SIGN AMENDED AGREEMENT WITH CHILD CARING INSTITUTION - ELMCREST CHILDREN'S CENTER

Mr. Verno presented the following:

WHEREAS, Resolution No. 357-21 authorized an Agreement with the Child Caring Institution —Elmcrest Children's Center, for the period of 7/1/21-6/30/24; and

WHEREAS, the wording of such Agreements between local Departments of Social Services and Child Caring Institutions is dictated by the New York State Office of Children and Family Services (NYS OCFS); and

WHEREAS, the NYS OCFS notified the Wayne County Department of Social Services on August 30, 2021 with the issuance of 21-OCFS-ADM-20, that the Agreements needed to be amended to reflect modifications required by the Federal Family First Prevention Services Act and Part L of Chapter 56 of the Laws of 2021; and

WHEREAS, the modifications required include language changes and changes in the procedural activities pertaining to the necessary utilization of Qualified Residential Treatment Programs (QRTP) and Qualified Individuals (QI) when placing a child into a congregate level of care facility; and

WHEREAS, this amended agreement language must be retroactive to the contract start date of 7/1/21, necessitating the use of this amended agreement language for the above agreement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an amended agreement with Elmcrest Children's Center subject to the County Attorney's approval as to form and content for the timeframe 7/1/21-6/30/24.

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

RESOLUTION 186-22: AUTHORIZATION TO SIGN AMENDED AGREEMENT WITH CHILD CARING INSTITUTION – VILLA OF HOPE (ST. JOSEPH'S VILLA)

Mr. Verno presented the following:

WHEREAS, Resolution No. 360-21 authorized an Agreement with the Child Caring Institution —Villa of Hope (St. Joseph's Villa), for the period of 7/1/21-6/30/24; and

WHEREAS, the wording of such Agreements between local Departments of Social Services and Child Caring Institutions is dictated by the New York State Office of Children and Family Services (NYS OCFS); and

WHEREAS, the NYS OCFS notified the Wayne County Department of Social Services on August 30, 2021 with the issuance of 21-OCFS-ADM-20, that the Agreements needed to be amended to reflect modifications required by the Federal Family First Prevention Services Act and Part L of Chapter 56 of the Laws of 2021; and

WHEREAS, the modifications required include language changes and changes in the procedural activities pertaining to the necessary utilization of Qualified Residential Treatment Programs (QRTP) and Qualified Individuals (QI) when placing a child into a congregate level of care facility; and

WHEREAS, this amended agreement language must be retroactive to the contract start date of 7/1/21, necessitating the use of this amended agreement language for the above agreement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an amended agreement with Villa of Hope (St. Joseph's Villa) subject to the County Attorney's approval as to form and content for the timeframe 7/1/21-6/30/24.

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

RESOLUTION 187-22: AUTHORIZATION TO SIGN AMENDED AGREEMENT WITH CHILD CARING INSTITUTION – THE HOUSE OF THE GOOD SHEPHERD

Mr. Verno presented the following:

WHEREAS, Resolution No. 476-21 authorized an Agreement with the Child Caring Institution —The House of the Good Shepherd, for the period of 10/1/21-9/30/24; and

WHEREAS, the wording of such Agreements between local Departments of Social Services and Child Caring Institutions is dictated by the New York State Office of Children and Family Services (NYS OCFS); and

WHEREAS, the NYS OCFS notified the Wayne County Department of Social Services on August 30, 2021 with the issuance of 21-OCFS-ADM-20, that the Agreements needed to be amended to reflect modifications required by the Federal Family First Prevention Services Act and Part L of Chapter 56 of the Laws of 2021; and

WHEREAS, the modifications required include language changes and changes in the procedural activities pertaining to the necessary utilization of Qualified Residential Treatment Programs (QRTP) and Qualified Individuals (QI) when placing a child into a congregate level of care facility; and

WHEREAS, this amended agreement language must be retroactive to the contract start date of 10/1/21, necessitating the use of this amended agreement language for the above agreement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an amended agreement with The House of the Good Shepherd subject to the County Attorney's approval as to form and content for the timeframe 10/1/21-9/30/24.

Mr. Groat moved the adoption of the resolution. Seconded by Mr. Kolczynski. Upon roll

call, adopted.

RESOLUTION 188-22: AUTHORIZE CONTRACT WITH VICTIM RESOURCE CENTER OF THE FINGER LAKES, INC. DBA SURVIVOR ADVOCACY CENTER FOR THE PROVISION OF DOMESTIC VIOLENCE RESIDENTIAL SERVICES

Mr. Verno presented the following:

WHEREAS, Wayne County Department of Social Services (DSS) is responsible for ensuring a safe place is available for victims of Domestic Violence, and

WHEREAS, Victim Resource Center of the Finger Lakes, Inc. DBA Survivor Advocacy Center is certified to provide residential services in Wayne County, and

WHEREAS, Victim Resource Center of the Finger Lakes, Inc. DBA Survivor Advocacy Center has provided such residential services in a competent manner in the past, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract with the Victim Resource Center of the Finger Lakes, Inc., DBA Survivor Advocacy Center subject to the County Attorney's approval as to form and content, for the provision of Residential Domestic Violence Services in accordance with 18 NYCRR 408. The term of the contract will be 1/1/22 through 12/31/22 at a cost not to exceed \$75,000.

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

RESOLUTION 189-22: AUTHORIZATION TO ACCEPT \$500,000 ALLOCATION FROM NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES (NYS OCFS) FOR MAINTENANCE OF THE MDT/CAC

Mr. Verno presented the following:

WHEREAS, Resolution #090-19 authorized Wayne County Department of Social Services (WCDSS) to accept a 3-year award from New York State Office of Children and Family Services (NYS OCFS) to establish the opening of a Multi-Disciplinary Team (MDT) operated Child Advocacy Center (CAC) in Wayne County, which opened in 2021; and

WHEREAS, New York State Office of Children and Family Services (NYS OCFS) has committed up to \$500,000 for five years with an annual maximum of \$100,000 to maintain operations of the MDT/CAC; and

WHEREAS, Wayne County Department of Social Services is desirous of continuing to provide these valuable services to children and families within our community; now therefore be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to accept the \$500,000 allocation to be used for the maintenance of operations of the Wayne County Multi-Disciplinary Team Child Advocacy Center; and be it further

RESOLVED, that should monies not be forthcoming from OCFS in a sixth (or any subsequent) year, the contract will terminate; and be it further

RESOLVED, the Commissioner of the Department of Social Services or her designee is granted permission to sign any necessary paperwork for the acceptance of such award.

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

RESOLUTION 190-22: AUTHORIZATION TO RENEW A CONTRACT FOR CHILD-ONLY SERVICES WITH ARC OF WAYNE

Mr. Verno presented the following:

WHEREAS, it is a high priority of the Wayne County Department of Social Services (WCDSS) to break the cycle of poverty and dependence on government cash subsidies; and

WHEREAS, per Resolution No. 275-20, the County of Wayne entered into a contract with the ARC of Wayne for the Provision of Child-Only Services for the one (1) year contract period of 7/1/20-6/30/21 with a possible two (2) year renewal at \$80,397 for 7/1/21-6/30/22 and \$81,979 for the contract period of 7/1/22-6/30/23; and

WHEREAS, the services provided by the ARC of Wayne have been satisfactory; and

WHEREAS, WCDSS is now desirous of renewing the contract with the ARC of Wayne for Child-Only Services for the contract term of 7/1/22-6/30/23 for an amount of \$81,979; therefore be it

RESOLVED, that the Chairman of the Board is hereby authorized to renew the contract on behalf of the County of Wayne with the ARC of Wayne for the provision of Child-Only Services for a one (1) year contract period of 7/1/22-6/30/23 at an amount not to exceed \$81,979, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION 191-22: AUTHORIZATION TO PURCHASE REPLACEMENT OFFICE EQUIPMENT FOR WORKFORCE DEVELOPMENT STAFF AND AMEND BUDGET

Mr. Verno presented the following:

WHEREAS, the Wayne County Board of Supervisors terminated a lease agreement with the New York State Department of Labor (NYS DOL) for shared space on the 2nd floor of the Health Services Building per resolution 21-512, and

WHEREAS, upon notification of this decision, Wayne County Department of Social Services (DSS) was informed that office equipment being used by the Workforce Development unit staff was owned by NYSDOL; and

WHEREAS, NYSDOL has requested that this furniture be returned to their possession

immediately; and

WHEREAS, in consultation with the Wayne County Buildings and Grounds Department, DSS has failed to identify surplus equipment that would be appropriate to fit the existing cubicle structure/set up; and

WHEREAS, replacement office equipment would cost \$18,864; and

WHEREAS, DSS is desirous of amending the 2022 budget to facilitate the purchase of the office equipment in 2022; therefore be it

RESOLVED, that the County Treasurer is authorized to amend the 2022 County Budget as follows:

A1990 Contingent Fund General

(Appropriations)

\$4,744 from 54000 Contractual Expenses

A6010 Department of Social Services

(Revenue)

\$9,400 to 44610 Social Services Administration Federal

\$4,720 to 43610 Social Services Administration State

(Appropriations)

\$18,864 to 52200 Office Equipment

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

RESOLUTION 192-22: AUTHORIZATION TO RETAIN A PART-TIME ATTORNEY FOR THE DEPARTMENT OF SOCIAL SERVICES AND AMEND THE 2022 BUDGET

Mr. Verno presented the following:

WHEREAS, the Commissioner of the Wayne County Department of Social Services has accepted the resignation of a full-time Assistant Social Services Attorney; and

WHEREAS, with the resignation of this attorney, the DSS Legal Department will be reduced to two FTE attorneys, tasked with managing the full complement of legal work related to Child-Welfare, the needs of vulnerable adults, services related to the establishment and enforcement of Child-Support Collection and the representation of this department in Fair Hearings for both Services and Temporary Assistance programs; and

WHEREAS, the present case activity and demand for services from the Legal Department will far exceed the capabilities and capacity of two attorneys; and

WHEREAS, the county as a whole, and this department do have precedent in previously engaging part-time attorneys from the community to work a minimal number of hours for the purpose of supporting the essential work of this department; and

WHEREAS, the Department of Social Services has identified an attorney who is willing to step in as a part-time Assistant DSS Attorney, as he has agreed to assume responsibilities associated with Child Support Enforcement; and

WHEREAS, the county has previously set the cost associated with comparable efforts at \$60.00/hour; therefore be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to hire a part-time Assistant DSS Attorney to temporarily assume the duties of the vacant DSS attorney position at a rate of pay of \$60.00/hour not to exceed 18 hours/week; and be it further

RESOLVED, the County Treasurer is authorized to amend 2022 Wayne County Budget as follows:

A60101 Department of Social Services

(Appropriations)

\$28,080 from 51594 2nd Assistant Attorney

\$28,080 to 51707 Assistant DSS Part-Time Attorney

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

RESOLUTION 193-22: AUTHORIZATION TO CONTRACT WITH NYS INDUSTRIES FOR THE DISABLED (NYSID) FOR NUTRITION PROGRAMMING AND AMEND THE COUNTY BUDGET

Mr. Verno presented the following:

WHEREAS, the Wayne County Department of Aging and Youth received State and Federal Funding to support nutrition programming; and

WHEREAS, NYSID has requested to enter into contracts with the department for the Home Delivered Meal program and the bulk food preparation for the Congregate Meal program, certifying a local agency, The Arc Wayne, to perform the functions under the contract; and

WHEREAS, the cost per meal for Home Delivered Meals for 2022 will be \$8.70 per meal (increased from 2021 rate of \$5.19) and the cost per meal for bulk food for the Congregate Meal Program will be \$7.50 per meal (increased from 2021 rate of \$4.26 per meal); and

WHEREAS, the increased meal cost will require a higher contract amount that projected in the approved 2022 county budget, therefore be it

RESOLVED, that the Wayne County Department of Aging and Youth is authorized to enter into two contracts with NYSID. One contract for Home Delivered Meals will run from April 1, 2022 until December 31, 2022 in the amount of \$332,775 for the preparation and delivery of

38,250 meals to eligible seniors. The second contract for preparation and delivery of 14,220 bulk meals to the Congregate Meal sites will run from April 1, 2022 until December 31, 2022 in the amount of \$106,875; and further be it

RESOLVED, that the Chairman of the Board is authorized and directed to sign these contracts, subject to the approval of the County Attorney, and further be it

RESOLVED, that the Wayne County Treasurer is authorized to make the following adjustments to the 2022 Aging and Youth Budget:

Account A6772-Office for Aging

(Appropriations)

\$241,000 from 54891 Other Direct Expenses

\$58,125 to 54660 Key Industries

\$182,875 to 54466 Home Delivered Meals

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

RESOLUTION 194-22: AUTHORIZATION TO SUBMIT THE 2022 ANNUAL IMPLEMENTATION PLAN AND OCFS RESOURCE ALLOCATION PLAN FOR AGING & YOUTH

Mr. Verno presented the following:

WHEREAS, the Chairman of the Board is required to sign the Annual Implementation Plan (budgets) for the year 2022 in order to receive the funding for Aging Services from the NYS Office for Aging. The funding components that must be submitted include the following:

- Federal-Older Americans Act for the period January 1, 2022 through December 31, 2022-Titles III-B, III-C-1, III-C-2, III-D, III-E
- Federal- Balancing Incentive Program (BIP) April 1, 2022 through March 31, 2023
- Federal – Medicare Improvements for Patients and Providers Program (MIPPA) October 2021-September 2022
- State Grants for the period April 1, 2022 through March 31, 2023
- WIN (Wellness in Nutrition)
- CSI (Community Services Initiative)
- EISEP (Expanded In-Home Services for the Elderly)
- CSE (Community Service for the Elderly)
- HIICAP (Health Insurance Information Counseling and Assistance Program)
- Transportation
- Unmet Needs

WHEREAS, NY State Office of Children and Family Services requires the Chairman of the Board of Supervisors to sign the OCFS Resource Allocation Plan in order to receive funding for youth development and runaway/homeless programs which supports the Youth Bureau and various youth service programs in Wayne County, and

WHEREAS, the Aging funding for BIP/NY Connects and MIPPA require supplemental applications partway through the year that also require the signature of the Chairman of the Board, and

WHEREAS, the Youth Department RAP plan requires signatures also for any amendments, authority for which can be delegated to the Department Head, and

WHEREAS, there are no major fiscal or programmatic changes planned to either the youth or aging plans in 2022 compared with 2021, and

WHEREAS any modifications to the originally submitted plans that require a county budget modification would still be subject to Board of Supervisor review and approval, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the Aging Department state plan for 2022, including supplemental applications, and the Youth Department RAP plan for the year 2022, subject to County Attorney approval, and be it further

RESOLVED, that the Wayne County Board of Supervisors authorizes the Director of the Department of Aging and Youth, Amy Haskins, to sign the OCFS budget amendments for the 2022 program year.

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

RESOLUTION 195-22: AUTHORIZATION TO AMEND SALARY FOR GRADUATE PRACTICAL NURSE POSITIONS AT THE NURSING HOME

Mr. Groat presented the following:

WHEREAS, the Board of Supervisors authorized the hiring of four (4) Graduate Practical Nurses by the Wayne County Nursing Home in Resolution #933-02, #539-09, # 412-10 and #681-13 in an effort to address the shortage of licensed nurses, and

WHEREAS, the Board of Supervisors last amended the salary for the Graduate Practical Nurses by resolution #681-13 to 20 cents over the Certified Nursing Assistant Job Rate; now, therefore be it,

RESOLVED, that effective April 1, 2022 and annually thereafter, the salary for the temporary positions of Graduate Practical Nurse at the Wayne County Nursing Home shall be increased 20 cents over the current Certified Nursing Assistant Job Rate.

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

RESOLUTION 196-22: AUTHORIZING ANNUAL HISTORICAL LICENSE AND AGREEMENT WITH P&NP COMPUTER SERVICES, INC. AND WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

WHEREAS, the current agreement with P&NP Computer Services Inc., the provider of Wayne County Nursing Home's former billing software, expires 6/30/2022 ; and

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

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute an agreement on behalf of the Wayne County Nursing Home, with P&NP Computer Services, Inc. for the Annual Historical License and Agreement effective July 1, 2022 to June 30, 2023 subject to the County Attorney's approval as to form and content.

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

RESOLUTION 197-22: AUTHORIZATION TO CONTRACT WITH WAYNE-FINGER LAKES BOCES FOR TRANSPORTATION FOR THE EARLY INTERVENTION AND PRE-K PROGRAMS

Mr. Groat presented the following:

WHEREAS, pursuant to Education Law, Section 4410, Subdivision 8, "the municipality in which a preschool child resides shall, beginning with the first day of service, provide either directly or by contract for suitable transportation;" and

WHEREAS, Wayne County School Districts provide in-county transportation for children in the Early Intervention and Pre-K programs; and

WHEREAS, the County currently contracts with Wayne-Finger Lakes BOCES to manage invoicing and payment for services, as a pass through entity, between the Districts and the County; and

WHEREAS, transportation is required for the following sites: Wayne County Chapter ARC facility located in Newark, programs at the Red Creek Central School and Williamson Central School, and within Wayne County for Childcare; and

WHEREAS, the Director of Public Health is desirous in entering into a new contract with Wayne Finger Lakes BOCES to facilitate such service within Wayne County beginning on July 1, 2022 to June 30, 2023, with the option to renew contract for two (2) additional one (1) year periods, upon mutual agreement, the transportation rate will be \$47.00 per child per day with a minimum charge of \$138.00 when transporting fewer than three children on any particular route; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract, and sign any amendments to this contract, with the Wayne - Finger Lakes BOCES to invoice the County and distribute payment to the Districts for the transportation of children in the Early Intervention and Pre - K programs to the Wayne County Chapter ARC facility in Newark, programs at the Red Creek Central School and Williamson Central School, and within Wayne County for Childcare, beginning on July 1, 2022 to June 30, 2023, with the option to renew contract for two (2) additional one (1) year periods, upon mutual agreement, for the amount of \$47.00 per child per day with a minimum charge of \$138.00 when transporting fewer than three children on any particular route, subject to the approval of the County Attorney as to form and content and meeting insurance requirements.

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

RESOLUTION 198-22: AUTHORIZATION TO AMEND RELATED SERVICES CONTRACTS WITH PROVIDERS OF SERVICES FOR PRESCHOOLERS WITH HANDICAPPING CONDITIONS

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently holds contracts with providers of related services for physically handicapped and developmentally delayed children through Resolution Nos. 264-21, 353-21,551-21, 602-21, 179-22, and 180-22 ; and

WHEREAS, WCPH has a continued shortage of providers for related services; and

WHEREAS, current rates paid by WCPH to providers are less than Medicaid reimbursement rates; and

WHEREAS, WCPH was notified of increased Medicaid rates for the Pre-School Supportive Health Services Program (PSSHSP) effective July 1, 2017 and that resulting Medicaid cost settlement reports indicate that the rates for related services that Wayne County currently contracts for the PSSHSP are not sufficient; and

WHEREAS, after review of rates for related services provided by surrounding counties, WCPH wishes to increase our current rate of \$70 / .5hr for individual services to \$80 / .5hr to be comparable with surrounding counties, to attract new related services providers, and conform with Medicaid standards beginning on July 1, 2022 to June 30, 2024; and

WHEREAS, after review of the rates for coordination as a related service provided by surrounding counties, WCPH wishes to increase our current rate of \$20 / .5hr of coordination to \$50 / .5hr to be comparable with surrounding counties; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to amend Resolution Nos. 264-21, 353-21, 551-21, and 602-21; to amend contracts with Related Service Providers to increase the rate of \$70 / .5hr to \$80 / .5hr for individual services and \$20 / .5hr to \$50 / 5hr for coordination beginning on July 1, 2022 to June 30, 2024, subject to the approval of the County Attorney as to form and content:

- Affinity Rehabilitation, LLP (Lifespan PT, OT & SLP): speech therapy, occupational therapy, physical therapy, psychological services - \$80/.5hr; coordination of services - \$50/.5hr.
- Cheryl Ann Aroesty: occupational therapy, parent counseling/training - \$80/.5hr; coordination of services - \$50/.5hr;
- Katrina Briggs: speech therapy - \$80/.5hr; coordination of services - \$50/.5hr;
- Breaking Boundaries OT & PT Services, PLLC: occupational therapy, physical therapy - \$80/.5hr; coordination of services - \$50/.5hr;
- Bright Start Pediatric SLP and OT Services, PLLC: speech therapy, occupational therapy, physical therapy, psychological services, parent counseling/training - \$80/.5hr; coordination of services - \$50/.5hr; ;
- Building Blocks Comprehensive Services, Inc.: speech therapy, occupational therapy, physical therapy, psych, parent counseling/training, service coordination - \$80/.5hr; coordination of services - \$50/.5hr;
- Building Blocks Learning Center, LLC: speech therapy, occupational therapy, physical therapy - \$80/.5hr; coordination of services - \$50/.5hr.
- Clyde-Savannah CSD: Speech Therapy, Occupational Therapy, Physical Therapy, Psych. Services, Counseling, Parent Counseling & Training, \$80/.5hr; Group (up to 5) \$50/.5/child; Coordination of services - \$50/.5hr.
- Children's Therapy Network: speech therapy, occupational therapy, physical therapy - \$80/.5; coordination of services - \$50/.5hr;
- Clinical Associates of the Finger Lakes: speech therapy, occupational therapy, physical therapy, psychological service/counseling, audiology services/evaluations, assistive technology, counseling, parent counseling/training, social work - \$80/.5hr; coordination of services - \$50/.5;
- Christine R. DeFisher: speech therapy - \$80/.5hr; coordination of services - \$50/.5;
- Daystar for Medically Fragile Children, Inc: speech therapy, occupational therapy, physical therapy, music therapy, parent counseling & training, and social work - \$80/.5hr; coordination of services - \$50/.5hr.
- Finger Lakes Cerebral Palsy, Inc.: speech therapy, occupational therapy, physical therapy, psychological service, parent counseling/training, play therapy, service coordination, assistive technology - \$80/.5hr; coordination of services - \$50/.5;
- Christina (Tina) Gergely: speech therapy, assistive technology - \$80/.5hr; coordination of services - \$50/.5hr;
- Kimberly Golden: occupational therapy - \$80/.5hr; coordination of services - \$50/.5hr;
- Jill M. Gottesman-Kelley: speech therapy, assistive technology - \$80/.5hr; coordination of services - \$50/.5;
- Hearing & Speech Center of Rochester, Inc.: speech therapy, audiology services \$80/.5hr; coordination of services - \$50/.5hr;
- Andrea Habecker: occupational therapy - \$80/.5; coordination of services - \$50/.5;
- Richard M. Hilton: speech therapy - \$80/.5hr; coordination of services - \$50/.5;
- Sheila Howe: occupational therapy, parent counseling/training - \$80/.5hr; coordination of services \$50/.5;
- Melissa Irlhig: speech therapy, assistive technology - \$80/.5hr; coordination of services - \$50/.5;
- Carmen Ishman: speech therapy/dysfluency - \$80/.5hr; coordination of services - \$50/.5;
- Jennifer Kelly: speech therapy - \$80/.5hr; coordination of services - \$50/.5;
- Finger Lakes Therapy Works, PLLC: speech therapy, occupational therapy; physical therapy, psych services- \$80/.5hr; coordination of services - \$50/.5; ;
- Amy LaDow Fisher: vision therapy, orientation & mobility \$80/.5hr; coordination of services - \$50/.5;
- Susan T. Lapp: occupational therapy - \$80/.5hr; coordination of services - \$50/.5;
- Theresa Lehman: vision therapy and assistive technology - \$80/.5hr; coordination of services - \$50/.5hr;
- Kimberly F. McCaffrey: speech therapy - \$80/.5hr; coordination of services - \$50/.5;
- Karen A. Meuler: physical therapy - \$80/.5hr; coordination of services - \$50/.5;
- Karen Miller: physical therapy and assistive technology - \$70/.5hr; coordination of services - \$50/.5hr
- Liberty Resources Post, PLLC: speech therapy, occupational therapy, physical therapy, psych services, music therapy, counseling, parent counseling/training, social work \$80/.5hr; group (up to 5) \$50/.5/child; coordination of services - \$50/.5.
- Lyons CSD: speech therapy, occupational therapy, physical therapy, - \$80/.5hr; coordination of services - \$50/.5hr;
- North Rose-Wolcott CSD: speech therapy, occupational therapy, physical therapy, - \$80/.5hr; coordination of services - \$50/.5hr;
- Marcy P. Osburn: physical therapy - \$80/.5hr; coordination of services - \$50/.5;
- Aubrey Palmer: speech therapy, assistive technology - \$80/.5hr; coordination of services - \$50/.5;
- Palmyra-Macedon CSD: speech therapy, occupational therapy, physical therapy - \$80/.5hr; coordination of services - \$50/.5;
- Kevin Penner: occupational therapy - \$80/.5; coordination of services - \$50/.5;
- Red Creek CSD: speech therapy, occupational therapy, physical therapy, vision therapy, psychological services, counseling, parent counseling/training, teacher of deaf, assistive technology - \$80/.5hr; coordination of services - \$50/.5;
- Room to Bloom: speech therapy, occupational therapy, physical therapy - \$80/.5hr; coordination of services - \$50/.5hr;

- JoAnn Salerno: speech therapy - \$80/.5hr; coordination of services - \$50/.5hr;
- Kristi A. Sergeant: occupational therapy - \$80/.5hr; coordination of services - \$50/.5hr;
- Step By Step PT, OT, and SLP Services, PLLC: speech therapy, occupational therapy, physical therapy, and psychological services - \$80/.5hr; coordination of services - \$50/.5hr
- Matthew Strauss: speech therapy - \$80/.5hr; coordination of services - \$50/.5;
- Leah Talbot: physical therapy - \$80/.5hr; coordination of services - \$50/.5;
- LEAP OT, PT and SLP, PLLC: speech therapy, occupational therapy, physical therapy, parent counseling/training, - \$80/.5hr; coordination of services - \$50/.5;
- Therapy Partners: speech therapy, occupational therapy, physical therapy, vision therapy, parent counseling/training - \$80/.5hr; coordination of services - \$50/.5;
- Jennifer Thomson: speech therapy - \$80/.5hr; coordination of services - \$50/.5;
- Christine A. Toner: speech therapy - \$80/.5hr; coordination of services - \$50/.5;
- Upstate Music Therapy Center, LLC (Amy Thomas): music therapy - \$80/.5hr; coordination of services - \$50/.5;
- Ruth VanGorder: occupational therapy - \$80/.5hr; coordination of services - \$50/.5;
- Bridgett Viens: speech therapy - \$80/.5hr; coordination of services - \$50/.5;
- Alissa Waughtel: speech therapy - \$80/.5hr; coordination of services - \$50/.5;
- Wayne ARC: speech therapy, occupational therapy, physical therapy, vision therapy, psychological service, music therapy, counseling, parent counseling/training, play therapy, service coordination, assistive technology - \$80/.5hr; coordination of services - \$50/.5;
- Wayne County Action Program, Inc.: Coordination of services - \$50/.5
- Williamson CSD: speech therapy, occupational therapy, physical therapy, psychological services, assistive technology, counseling - \$80/.5hr; coordination of services - \$50/.5hr;
- Allison Williams: occupational therapy - \$80/.5hr; coordination of services - \$50/.5;
- United Cerebral Palsey Association of Rochester: speech therapy, occupational therapy, physical therapy, music therapy, assistive technology, parent counseling/training, social work - \$80/.5hr; coordination of services - \$50/.5;

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

RESOLUTION 199-22: AUTHORIZATION TO CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR THE PROVISION OF RABIES CONTROL ACTIVITIES

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) is required by the New York State Department of Health (NYSDOH) to perform rabies control activities such as authorization and reimbursement of human rabies treatments, authorization of specimen testing, provide pet vaccination clinics and perform education and prevention activities; and

WHEREAS, WCPH wishes to renew the Rabies Control Program contract with the NYSDOH for the period of April 1, 2022 through March 31, 2025, for a total contract amount of \$47,322, with an annual reimbursement amount of \$15,774; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract, and any future amendments, with the NYSDOH to perform Rabies Control activities for the period of April 1, 2022 through March 31, 2025 for a total amount of \$47,322, not to exceed \$15,774 annually, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION 200-22: AUTHORIZATION TO RENEW OR ESTABLISH CONTRACTS OF AFFILIATION BETWEEN WAYNE BEHAVIORAL HEALTH NETWORK AND LOCAL AREA COLLEGES & UNIVERSITIES FOR STUDENT FIELDWORK INTERNSHIP EDUCATION

Mr. Groat presented the following:

WHEREAS, many local colleges & universities (i.e. SUNY Brockport, Greater Rochester Collaborative-GRC, St. John Fisher, Monroe Community College, Finger Lakes Community College, Roberts Wesleyan, University of Rochester, Syracuse University, etc.) all have established educational programs in various health & human service related programs, and as such these educational institutions often desire to have certain students receive fieldwork educational experiences at Wayne Behavioral Health Network; and

WHEREAS, Wayne Behavioral Health Network (WBHN) is willing to accept said students for such purposes from the various colleges & universities given WBHN has a long-standing history as being a teaching & training facility; and

WHEREAS, this arrangement is mutually beneficial to all parties, however more particularly to WBHN as providing this fieldwork educational program experience to students assists WBHN in meeting and addressing the increasing community needs for behavioral health treatment, it also contributes to the agency financially, it enriches the agency's staffing milieu, enhances the educational environment of our agency, and contributes to the development and growth of the Behavioral Health & Human Service Professions; NOW, therefore, be it

RESOLVED that the Chairman of the Wayne County Board of Supervisors, subject to County Attorney approval as to form and content, is authorized to renew and/or establish a contract between any local area college or university (as identified and determined appropriate by the Director of Mental Health) and Wayne Behavioral Health Network in order to provide students with fieldwork educational internships at WBHN for the academic periods during May

1, 2022 and/or through December 31, 2025.

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

RESOLUTION 201-22: AUTHORIZATION OF SUPPORT TO KEEP OPEN THE IN-PATIENT PSYCHIATRIC UNIT AT NEWARK WAYNE COMMUNITY HOSPITAL

Mr. Groat presented the following:

WHEREAS, the COVID-19 pandemic has brought significant challenges and change to our nation and our community, particularly in the health care arena; and

WHEREAS, in response to this, the New York State Department of Health required local hospital systems to develop a hospital surge plan to address the health care system additional need to increase COVID-19 capacity as a result of the pandemic; and

WHEREAS, a component of the Rochester Regional Health Newark Wayne Community Hospital (NWCH) COVID-19 surge response plan included a coordinated and phased plan to temporarily relocate the in-patient psychiatric unit (known as 1-South) at NWCH and to repurpose it in order to relocate several outpatient departments on the second floor of Newark-Wayne Community Hospital to the first floor unit (known as 1-South) of the hospital, permitting additional inpatient capacity; and

WHEREAS, in April 2020, Rochester Regional Health (RRH) made the decision to consolidate the psychiatric inpatient services located at NWCH into the psychiatric inpatient unit located at Clifton Springs Hospital; and

WHEREAS, in 2021, as the number of COVID-19 patients being treated within NWCH declined, the additional capacity available on the second floor is now being utilized for inpatient care; and

WHEREAS, subsequently, Rochester Regional Health-Newark Wayne Community Hospital has now informed the Wayne County Department of Mental Health and the NYS Office of Mental Health of their desire to permanently close the in-patient psychiatric unit at NWCH; and

WHEREAS, NWCH has served not only Wayne County, but as a regional resource for psychiatric in-patient treatment services and it is a critical and vital component of the mental health treatment continuum; and

WHEREAS, the need for in-patient psychiatric treatment services in our community is greater now than ever. For example, the suicide rate in 2021 in Wayne County alone rose 70% from 2020, which was a record high year for deaths by suicide in the county; now therefore be it

RESOLVED, The Wayne County Director for Community Mental Health Services and the Wayne County Board of Supervisors, on behalf of the needs of the community, implores Rochester Regional Health and Newark Wayne Community Hospital to reopen the in-patient psychiatric unit and to abandon any plans to permanently close the in-patient psychiatric unit at NWCH and likewise implores New York State to disapprove any request made to close the NWCH in-patient psychiatric unit; and BE IT FURTHER

RESOLVED, that a copy of this resolution be sent to the New York State Commissioner of Mental Health, Dr. Ann M. Sullivan, MD; the NYS Commissioner of Health, Dr. Mary Bassett, MD; and the Rochester Regional Health CEO, Dr. Richard Davis, Ph.D.

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

RESOLUTION 202-22: AUTHORIZATION TO APPLY FOR EXTENSION OF THE C003252-1110000 SHOEBOX GRANT FOR THE WAYNE COUNTY BOARD OF ELECTIONS

Mr. Donalty presented the following:

WHEREAS, that Wayne County has a contract with the New York State Board of Elections for SHOEBOX grant funds, which will end on March 31, 2022, unless otherwise extended; and,

WHEREAS, that the New York State Board of Elections is extending the contract for another year from April 1, 2022 to March 31, 2023; and,

WHEREAS, that Wayne County is desirous in extending said grant contract; now therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute the request for extension through March 31, 2023, of the C003252-1110000 SHOEBOX grant contract, subject to review and approval by the County Attorney as to form and content.

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

RESOLUTION 203-22: AUTHORIZATION TO RESCIND RESOLUTION NO. 100-19 AND DEFINE COMPENSATION FOR THE OVERSIGHT OF THE WORKERS' COMPENSATION SELF-INSURANCE PLAN

Mr. Donalty presented the following:

WHEREAS, Resolution No. 100-19 authorized 40% of the Self-Insurance Specialist's salary and fringe expense to be reimbursed from the Workers' Compensation S Fund to the General Fund for time spent overseeing the Worker's Compensation Self-Insurance Plan; and

WHEREAS, the Self-Insurance Specialist position was abolished in 2021; and

WHEREAS, the duties of managing the Worker's Compensation Self-Insurance Plan are now distributed between Human Resources and the County's Fiscal Assistant, both located in the General Fund; and

WHEREAS, the Worker's Compensation Self-Insurance Plan is still responsible to pay for, through contractual expense, the oversight and administration of plan duties; and,

WHEREAS, an annual fee of \$25,000 has been calculated for the time and effort spent managing the Self-Insurance Plan; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby rescinds Resolution No. 100-19; and, be it further

RESOLVED, that the Workers' Compensation S Fund will reimburse the General Fund \$25,000 annually, through a single interfund transfer, to oversee and administer the Worker's Compensation Self-Insurance Plan.

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

RESOLUTION 204-22: AUTHORIZATION TO ABOLISH A PART-TIME PERSONNEL CLERK AND CREATE A FULL-TIME ACCOUNT CLERK POSITION AND AMEND THE 2022 BUDGET

Mr. Donalty presented the following:

WHEREAS, the position of part time Personnel Clerk (21 hours) became vacant on January 20, 2022; and

WHEREAS, the Human Resource Director has determined the clerical needs associated with the office would benefit greatly to have a full time person which would also allow for succession planning; now therefore be it

RESOLVED, that the position of part time Personnel Clerk is hereby abolished, and a full time

Account Clerk position (Grade 9 of the CSEA unit) is created and authorized to be filled; and be it further

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

A1990 Contingent Fund General
(Appropriations)
\$3,437 from 54000 Contractual Expenses

A1430 Human Resources
(Appropriations)
\$19,258 from 51069 Personnel Clerk PT
\$20,420 to 51122 Account Clerk
\$2,185 to 58100 Retirement
\$90 to 58200 Social Security

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

RESOLUTION 205-22: AUTHORIZATION TO APPROVE BROADBAND FUNDING AND PARTNERSHIP AGREEMENT

Mr. Groat presented the following:

WHEREAS, in 2018 the County completed an analysis of existing broadband coverage in the County and identified significant gaps in coverage and the availability of broadband service; and

WHEREAS, the Economic Development and Planning Department has been updating coverage information based on available data to track progress in coverage across the County; and

WHEREAS, based on analysis of available data there remains significant gaps in coverage across the County; and

WHEREAS, Resolution 342-21 authorized release of an RFP soliciting broadband service providers to facilitate expansion of broadband service in Wayne County to provide accessibility to all residents, businesses, and institutions, and

WHEREAS, Resolution 490-21 authorized the Broadband committee to enter in to negotiations with Charter Communications Inc. as the preferred proposer, to refine the scope of their proposal and to negotiate costs, terms, and conditions of a partnership agreement with the County, to bring a final proposal to the board of supervisors, and

WHEREAS, the committee has discussed and negotiated terms and conditions of a tentative agreement with Charter communications and is recommending approval, with terms and conditions including but not limited to provision of \$8,500,000 as recommended by the Broadband Committee to fund a \$14,652,000 implementation project to bring service to every unserved address in Wayne County, including \$8,000,000 of American Rescue Plan Act (ARPA) funding, and \$500,000 from unassigned General Fund balance, with minimum download speeds of 200 megabits per second; now, therefore be it

RESOLVED, that the Board of Supervisors hereby agrees to provide funding in the amounts described above; and be it further

RESOLVED, that the Wayne County Treasurer is authorized to transfer \$500,000 from Unassigned General Fund Balance, \$790,560.50 from ARPA Assigned Fund Balance, and make the following budget adjustment:

A1011 ARPA Fund

(Appropriations)
\$7,209,439.50 from 54000 Contractual Expenses

A9950 Transfer to Capital Fund Projects

(Appropriations)
\$8,500,000 to 59711 BROAD Broadband Project

H4902 ARPA

(Revenues)
\$8,500,000 to 45031 BROAD Interfund Transfer
(Appropriations)
\$8,500,000 to 52000 BROAD Equipment and Capital Outlay

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

RESOLUTION 206-22: AUTHORIZATION TO SET PUBLIC HEARING FOR INCLUSION OF LAND IN A CERTIFIED AGRICULTURAL DISTRICT

Mr. Groat 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, May 17, 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. Kolczynski moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

RESOLUTION 207-22: 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) Auction	VIN 1FAHP2MT8EG107378
2015 Ford Interceptor (SO) Auction	VIN 1FAHP2MT7FG168030

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

RESOLUTION 208-22: AUTHORIZATION TO ENTER INTO AGREEMENTS WITH THE TOWNS OF MARION, PALMYRA, SAVANNAH AND WILLIAMSON FOR ROADSIDE MOWING

Mr. Chatfield presented the following:

WHEREAS, the Towns of Marion, Palmyra, Savannah and Williamson have expressed interest in providing roadside mowing services on county roadways in their respective towns as they have done in the past several years; and

WHEREAS, the roadside mowing in Marion, Palmyra, Savannah and Williamson benefits the towns and county; and

WHEREAS, the Town of Marion will do three complete mowing's on Wayne County roads within the Town of Marion with a total of 22.4 miles, and

WHEREAS, the Town of Palmyra will do three complete mowing's on Wayne County roads within the Town of Palmyra with a total 23.8 miles and

WHEREAS, the Town of Savannah will do three complete mowing's on Wayne County roads within the Town of Savannah with a total 19.9 miles and

WHEREAS, the Town of Williamson will do three complete mowing's on Wayne County roads within the Town of Williamson with a total 29.0 miles, now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Towns of Marion, Palmyra, Savannah and Williamson for mowing county roadsides located in the towns three times at a rate of \$275.00 (\$91.67 each time) per mile for the 2022 season, and no additional payments will be made for additional work.

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

RESOLUTION 209-22: AUTHORIZATION TO CREATE PROJECT 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 Statement for the proposed work for the following project:

22-67	North Geneva Rd	\$350,000
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now, therefore, be it

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

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

D5112 Road Construction

(Appropriations)

\$350,000 from .52600 Highway Construction to the following Chips Projects:

\$350,000 to .52670 22-67 North Geneva Rd

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

RESOLUTION 210-22: AUTHORIZATION TO ACCEPT LOW BID FOR THE FARMINGTON ROAD BRIDGE REHABILITATION PROJECT

Mr. Chatfield presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for the Farmington Road bridge rehabilitation project for the Highway Department and

WHEREAS, the bids were opened on Thursday, March 10, 2022 at 10:00 a.m. with the following bids received:

CP Ward	\$817,881.00
Crane Hogan	\$741,901.00
Ramsey Constructors	\$807,086.00

and

WHEREAS, the bids have been reviewed by the Superintendent of Public Works and the project consultant and they recommend awarding the project to Crane Hogan for the bid amount, and

WHEREAS, the low bid submitted by Crane Hogan is approximately \$142,290 more than the project budget which has been allocated by the Genesee Transportation Council (GTC), and

WHEREAS, the Superintendent of Public Works will request from the GTC that additional funds be applied to this project, and

WHEREAS, a supplemental agreement will be processed with the NYSDOT to secure the construction funds for this project, now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Crane Hogan in accordance with the bid acceptance.

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

RESOLUTION 211-22: AUTHORIZATION TO ENTER INTO AGREEMENT WITH THE NYSDOT FOR FUNDING OF THE GANANDA PARKWAY PREVENTATIVE MAINTENANCE PROJECT

Mr. Chatfield presented the following:

WHEREAS, THE County of Wayne will be responsible for the design, letting and construction of this project; and

WHEREAS, a Project for the pavement rehabilitation of the Gananda Parkway in the Towns of Walworth and Macedon, Wayne County (PIN 4WA0.04) is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal Funds and 20% non-federal funds, and

WHEREAS, the County of Wayne desires to advance these Projects by making a commitment of 100% of the non-federal share of this project, now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby approves the above subject project; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby agrees to pay in the first instance 100% of the federal and non-federal share of the cost of the entire project, and be it further

RESOLVED, that the sum of \$90,200 is hereby appropriated and made available to cover the cost of the Engineering phases of the Gananda Parkway preventative maintenance project (4WA0.04) and be it further

RESOLVED, that the County Treasurer is hereby authorized to create a D51122.52671 Gananda Parkway PM project account, and, transfer \$18,040 from the General Fund unassigned fund balance, and revise the budget as follows:

A9901 Interfund Transfers

(Appropriations)
\$18,040 to 59300 Transfer- County Roads

D5112 Road Construction

(Appropriations)
\$90,200 to 52928 Gananda Parkway PM

D9999 Other Income

(Revenue)
\$72,160 to 44511 Marchiselli Funds - Federal (80%)
\$18,040 to 45031 Interfund Transfers

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount, and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Wayne with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's first instance funding of the project costs and permanent funding of the local share of federal aid and state aid eligible Project costs and all project costs within appropriations therefore that are not so eligible, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it further

RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION 212-22: AUTHORIZATION TO AWARD DESIGN OF GANANDA PAVEMENT PRESERVATION PROJECT TO BERGMANN

Mr. Chatfield presented the following:

WHEREAS, the Wayne County Highway Department has been awarded funds from the Genesee Transportation Council (GTC) to perform milling and paving on the Gananda Parkway, and

WHEREAS, the Superintendent of Public Works has reviewed the original Local Design Services Agreement (LDSA) proposals and selected Bergmann to perform the design services, and

WHEREAS, based on a scoping meeting, Bergmann has provided a price of \$89,000 to progress the project through bidding phases, now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an agreement with Bergmann 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 213-22: AUTHORIZATION TO AWARD DESIGN OF GANANDA PARKWAY SAFETY PROJECT TO BERGMANN

Mr. Chatfield presented the following:

WHEREAS, the ARPA Committee has approved funding for the Gananda Parkway Safety Improvement project which was approved under resolution 621-21; and

WHEREAS, the Superintendent of Public Works has solicited for engineering services for this project, and

WHEREAS, 11 proposals were received and reviewed by a committee that selected Bergmann to perform the engineering services, and

WHEREAS, based on a scoping meeting, Bergmann has provided a price of \$210,000 to progress the project through bidding phases, now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an agreement with Bergmann subject to the County Attorney's approval as to form and content.

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

RESOLUTION 214-22: AUTHORIZATION TO AWARD BID AND PURCHASE NURSING HOME BOILERS

Mr. Chatfield presented the following:

WHEREAS, the Purchasing Agent duly advertised for bid(s) for the purchase and startup on three (3) replacement heating system boilers at the Wayne County Nursing Home located at 1529 Nye Road in Lyons, NY and the bids were opened on March 22, 2022 at 2:00 p.m. and the following bid was received:

B.J Muihead Co., Inc.	
137 Syke St. Suite 4	\$75,500.00
Rochester, NY 14611	

; and

WHEREAS, the Deputy Superintendent of Public Works has reviewed the bid and

recommends that the bid be awarded to B.J. Muihead Co., Inc; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with B.J. Muinhead Co., Inc for the purchase and startup of three heating boilers at the Wayne County Nursing Home for a cost of \$75,500.00.

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

RESOLUTION 215-22: AUTHORIZATION TO RENEW LEASE WITH NEW YORK STATE SENATOR PAMELA HELMING

Mr. Chatfield presented the following:

WHEREAS, Senator Helming's office staff currently share approximately 220 square feet of office space at the Wayne County Public Safety Building with Congressman John Katko's staff; and

WHEREAS, Senator Helming has expressed interest in renewing the lease for her operations for an additional two years; and

WHEREAS, the terms and conditions shall remain the same, the County of Wayne is seeking to charge a nominal rental expense for the use of the proposed office space to defray the costs to Wayne County taxpayers of the expense for utilities provided to the office space; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to renew and sign the lease agreement for two (2) additional years with Senator Helming, subject to the County Attorney's approval as to form and content, which shall provide that annual rental of One Hundred (\$100.00) Dollars shall be paid and shall be effective from January 1st 2022. Mr. Groat moved the adoption of the resolution. Seconded by Mr. Verno. Upon roll call, adopted.

RESOLUTION 216-22: AUTHORIZATION TO AWARD CONTRACT FOR B. FORMAN PARK HOUSE PAINTING PROJECT

Mr. Chatfield presented the following:

WHEREAS, the Purchasing Agent duly advertised for bid(s) for the painting of the exterior wood siding and trim on the house at B. Forman Park located at 4507 Lake Road in Williamson, NY, and

WHEREAS, the bids were opened on Friday, March 25, 2022 at 2:00 p.m. and the following bid was received:

Dobbins Painting & Contracting, LLC	\$37,393.00
1171 E. Union St.	
Newark, NY 14513	

; and

WHEREAS, the Deputy Superintendent of Public Works has reviewed the bid and recommends that the bid be awarded to Dobbins Painting & Contracting, LLC for the cost of \$37,393.00; and

WHEREAS, it is beneficial to allow the Superintendent of Public Works or his Deputy have the authority to approve and sign change orders for this additional work; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Dobbins Painting & Contracting, LLC for painting of the exterior siding and trims at the B. Forman Park House for a cost of \$37,393.00; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Superintendent of Public Works or his Deputy to approve change orders within the project budgeted amount of \$50,000;

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

RESOLUTION 217-22: AUTHORIZATION TO RENEW LEASE AGREEMENT WITH WAYNE COUNTY ACTION PROGRAM FOR PROPERTIES IN THE TOWNS OF SODUS, HURON AND LYONS

Mr. Chatfield presented the following:

WHEREAS, Wayne County Action Program hereinafter "Wayne CAP" is currently a tenant in following County owned properties: 159 Montezuma Street, Lyons, New York; 11395 Ridge Road, Huron, New York; and 7192 Ridge Road East, Sodus, New York; and

WHEREAS, the prior leases between Wayne CAP and the County regarding these premises have expired on December 31, 2021; and

WHEREAS, Wayne CAP and the County are desirous of entering into new leases for said premises; and

WHEREAS, Section 99-h of the General Municipal Law authorizes a municipality to enter into agreements with private non-profit agencies which are authorized to apply for and accept funds made available by the federal government, in order to administer, conduct, or participate with the federal government in programs relating to the general welfare of the inhabitants of the municipality; and

WHEREAS, such agreements may provide that funds, services, or facilities will be made available by the municipality in order to defray that portion of the cost of any program

administered by the agency which is not paid for by funds made available by the federal government; and

WHEREAS, Wayne County Action Program, Inc. is a non-profit agency established and operating under the provisions of the Economic Opportunity Act of 1964, as amended, which conducts various community action programs relating to the general welfare of the inhabitants of Wayne County; and

WHEREAS, Wayne CAP can use the fair market value of rental payments on the above mentioned properties as an in kind contribution to leverage various grants that they apply for to conduct their operation; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors, subject to the approval of the County Attorney as to form and content, is hereby authorized to enter into lease agreements with Wayne CAP for the above mentioned properties; and be it further

RESOLVED, that said lease agreements will commence on January 1, 2022 and shall be subject to the following terms and conditions:

- The leases for both the 11395 Ridge Road, Huron, New York and 7192 Ridge Road East, Sodus, New York shall be for a five (5) year term with an option five (5) year renewal.
- The lease for 159 Montezuma Street, Lyons, New York shall be for a one (1) year term with an optional to renewal up to five additional 1 year terms.
- Wayne CAP shall not be required to pay rent for any of the above mentioned properties
- Wayne CAP will be responsible for providing and paying for all maintenance required for each of the above mentioned facilities.
- Wayne CAP shall maintain all sites in good repairs and correct all code violations.
- Wayne CAP will be responsible for providing and paying for all utilities required for each of the above mentioned properties.
- Wayne CAP, subject to providing prior notice to and receiving approval from the County, will be responsible for all capital improvements to the above mentioned properties.
- The County will not be responsible for maintaining the fiber optic cable located at 159 Montezuma Street.
- The County will provide snow plowing and grass mowing at 159 Montezuma Street.

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

RESOLUTION 218-22: AUTHORIZATION TO AMEND PUBLIC WORKS BUILDINGS & GROUNDS EQUIPMENT BUDGET

Mr. Chatfield presented the following:

WHEREAS, with the lease of the former Erie Canal Culture Center (ECCC) to Veteran's on the Erie, the downtown maintenance staff has lost a location to store gas powered equipment such as lawnmower, weed eaters, leaf blowers, etc. and

WHEREAS, gas power equipment should not be stored in occupied office buildings without the correct protective storage area. This type of storage area currently does not exist within any of the downtown County buildings, and

WHEREAS, the Deputy Superintendent of Public Works recommends purchasing a small storage shed that can be placed behind 16 William Street to be used for such equipment, and

WHEREAS, the 2022 Buildings & Grounds budget equipment line has funding for the purchase of a floor cleaning machine for \$4,500, and

WHEREAS, a used floor machine was repaired and a new unit is no longer needed to be purchased at this time; and

WHEREAS; the Deputy Superintendent of Public Works is requesting to amend the 2022 Buildings & Grounds equipment addenda to remove the floor cleaning machine and add the purchase of a small storage shed, now, therefore be it

RESOLVED, the 2022 Buildings and Grounds equipment addenda is hereby amended by

removing the floor machine and adding the purchase of a small storage shed; and be it further RESOLVED, the Deputy Superintendent of Public is authorize to purchase a storage shed per the County's purchasing policy.

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

RESOLUTION 219-22: AUTHORIZATION TO OBTAIN PERMANENT EASEMENT FOR HIGHWAY PROJECT

Mr. Chatfield presented the following:

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

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

WHEREAS, the list below identifies the property owner that will require the easement:

David & Debora A. Sabocheck
66117-00-980230
5939 East Townline Road
Williamson, NY 14589

now, therefore be it

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

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

RESOLUTION 220-22: AUTHORIZATION TO GRANT EASEMENT TO WAYNE COUNTY WATER AND SEWER AUTHORITY

Mr. Chatfield presented the following:

WHEREAS, Wayne County owns a property (Tax parcel # 63113-00-076866) along NY Route 350 and Pine View Drive in Macedon, and

WHEREAS, the Wayne County Water and Sewer Authority (WCWSA) has a need to perform work on their sanitary facilities and will require a temporary easement across a portion of the County property, and

WHEREAS, this access will be temporary and will be removed when the work is complete; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to sign all legal documents granting a temporary easements to the WCWSA, subject to the review and approval of the County Attorney as to form and content.

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

RESOLUTION 221-22: AUTHORIZATION TO CONTRACT WITH ATTORNEY TO ALLEVIATE UNDERSTAFFING ISSUE DUE TO POSITION VACANCIES IN THE DISTRICT ATTORNEY'S OFFICE

Mr. Verno presented the following:

WHEREAS, there are currently three Assistant Attorney positions vacant in the District Attorney's office;

WHEREAS, there are two full-time Assistants handling all felony cases now pending, and the current caseload would normally be divided and managed by four full-time attorneys; and

WHEREAS, the District Attorney is desirous of contracting, on a temporary basis, with an attorney in order to alleviate some of the current burden on the Assistants due to substantial attorney position vacancies in the office; and

WHEREAS, this contracted attorney would not be trying cases in court, but would be utilized to handle discovery, pre-trial motions, and other necessary functions of the District Attorney's office; and,

WHEREAS, Catherine Menikotz, Esq., has been interviewed and has indicated she would be willing to enter into a contract arrangement with the D.A.'s office; and

WHEREAS, the term of the Contract would begin April 19th, 2022 for a period of 1 year at a rate of \$ 90.00 per hour not to exceed \$ 40,000.00 in the contract term; now, therefore be it

RESOLVED, that Chairman of the Wayne County Board of Supervisors is hereby authorized to approve said contract with Catherine Menikotz, Esq., at the rate of \$ 90.00 per hour not to exceed \$ 40,000.00 for the contract period April 19th, 2022 - April 18th, 2023, subject to the approval of the County Attorney as to form and content; and, be it further

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

A1165 District Attorney

(Appropriations)

\$40,000 from 51027 Asst District Attorney 2nd FT

\$40,000 to 54500 Fees for Services Non-Employee

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

RESOLUTION 222-22: AUTHORIZATION TO AMEND THE 2022 BUDGET TO CARRY OVER THE 2021 REMAINING BALANCE FOR THE 2018 STONEGARDEN GRANT PROGRAM

Mr. Verno presented the following:

WHEREAS, the Wayne County Sheriff's Office is participating in a grant program from the Department of Homeland Security and Emergency Services under the Operation 2018 Stonegarden Grant Program, in the amount of \$110,000.00 and

WHEREAS, a balance of \$ 8,487.29 to complete the project was available as of December 31, 2021 and fell to the General Fund Balance; and

WHEREAS, the balance of the funds will be used for overtime, equipment, management and administrative expenses in conjunction with Operation Stonegarden, as previously authorized in resolution No. 354-19; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized to amend the 2022 County Budget as follows:

A3114 – Sheriff Road Patrol

Amount	Object Code & Name	Project Code and Name
(Revenues)		
\$8,487.29	to 44302 Homeland Security	STG18 Stonegarden 2018
(Appropriations)		
\$8,487.29	to 51904 Overtime	STG18 Stonegarden 2018

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

RESOLUTION 223-22: AUTHORIZATION TO AMEND THE 2022 BUDGET TO CARRY OVER THE 2021 REMAINING BALANCE FOR THE 2019 STONEGARDEN GRANT PROGRAM

Mr. Verno presented the following:

WHEREAS, the Wayne County Sheriff's Office is participating in a grant program from the Department of Homeland Security and Emergency Services under the Operation 2019 Stonegarden Grant Program, in the amount of \$88,000.00 and

WHEREAS, a balance of \$27,033.65 to complete the project was available as of December 31, 2021 and fell to the General Fund Balance; and

WHEREAS, the balance of the funds will be used for overtime, equipment, management and administrative expenses in conjunction with Operation Stonegarden, as previously authorized in resolution No. 301-20; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized to amend the 2022 County Budget as follows:

A3114 – Sheriff Road Patrol

Amount	Object Code & Name	Project Code and Name
(Revenues)		
\$16,000.00	to 44302 Homeland Security	STG19 Stonegarden 2019
(Appropriations)		
\$10,000.00	to 51904 Overtime	STG19 Stonegarden 2019

A1990-Contingent Fund

(Appropriations)
 \$6,000.00 to 54000 (Management & Administrative) STG19 Stonegarden 2019

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

RESOLUTION 224-22: AUTHORIZATION TO AMEND THE 2022 BUDGET TO CARRY OVER THE 2021 REMAINING BALANCE FOR THE 2020 STONEGARDEN GRANT PROGRAM

Mr. Verno presented the following:

WHEREAS, the Wayne County Sheriff's Office is participating in a grant program from the Department of Homeland Security and Emergency Services under the Operation 2020 Stonegarden Grant Program, in the amount of \$56,000.00 and

WHEREAS, a balance of 21,946.00 to complete the project was available as of December 31, 2021 and fell to the General Fund Balance; and

WHEREAS, the balance of the funds will be used for overtime, equipment, management and administrative expenses in conjunction with Operation Stonegarden, as previously authorized in resolution No. 220-21; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized to amend the 2022 County Budget as follows:

A3110-Sheriff

Amount	Object Code	Project Code & Name
(Revenues)		
\$11,946.00	44302 Homeland Security	STG20 Stonegarden 2020
(Appropriations)		
\$5,946.00 to	52000 Equipment & Other Cap	STG20 Stonegarden 2020

A1990-Contingent Fund

(Appropriations)
 6,000.00 to 54000 Contractual Expenses (Management) STG20 Stonegarden 2020

A3114 – Sheriff Road Patrol

Amount	Object Code & Name	Project Code and Name
(Revenues)		
\$10,000.00	44302 Homeland Security	STG20 Stonegarden 2020
(Appropriations)		
\$10,000.00	to 51904 Overtime	STG20 Stonegarden 2020

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

RESOLUTION 225-22: AUTHORIZATION TO AMEND THE 2022 BUDGET TO CARRY OVER THE 2021 REMAINING BALANCE FOR THE 2019 STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (SLETPP)

Mr. Verno presented the following:

WHEREAS, the Wayne County Sheriff's Office is participating in a grant program from the Department of Homeland Security and Emergency Services under the State Law Enforcement Terrorism Prevention Program, in the amount of \$42,488.00

WHEREAS, a balance of \$42,488.00 to complete the project was available as of December 31, 2021 and fell to the General Fund Balance; and

WHEREAS, the balance of the funds will be used to purchase mobile data terminals and personal protective equipment, as previously authorized in resolution No.110-21; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized to amend 2022 County Budget as follows:

A3114 Sheriff Road Patrol

Amount	Object Code & Name	Project Code and Name
(Revenues)		
\$42,488.00	44306 Homeland Security	LET19 SLETPP19
(Appropriations)		
\$42,488.00	51904 Overtime	LET19 SLETPP19

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

RESOLUTION 226-22: AUTHORIZATION TO AMEND THE 2022 BUDGET TO CARRY OVER THE 2021 REMAINING BALANCE FOR THE 2020 STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (SLETPP)

Mr. Verno presented the following:

WHEREAS, the Wayne County Sheriff's Office is participating in a grant program from the Department of Homeland Security and Emergency Services under the State Law Enforcement Terrorism Prevention Program, in the amount of \$40,571.00

WHEREAS, a balance of \$33,507.80 to complete the project was available as of December 31, 2021 and fell to the General Fund Balance; and

WHEREAS, the balance of the funds will be used to purchase mobile data terminals and personal protective equipment, as previously authorized in resolution No 546-20; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized to amend the 2022 County Budget as follows:

A3114 Sheriff Road Patrol

Amount	Object Code & Name	Project Code and Name
(Revenues)		
\$33,507.80	44306 Homeland Security	LET20 SLETPP20
(Appropriations)		
\$33,507.80	52500 Other Equipment	LET20 SLETPP20

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

RESOLUTION 227-22: AUTHORIZATION TO AMEND THE 2022 BUDGET TO CARRY OVER THE 2021 REMAINING BALANCE FOR THE 2019 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT

Mr. Verno presented the following:

WHEREAS, resolution 124-20 authorized the acceptance of the 2019 SHSP Grant in the amount of \$127,462; and

WHEREAS, \$63,731 of this grant was budgeted to partially fund the salary and benefits of the Emergency Management Project Coordinator; and

WHEREAS, the balance of the grant is to be used for the update of the Radiological Emergency Response (REP) Plan, update of Public Safety Tower Security and an Unmanned Aerial Vehicle (UAV) with accessories; and

WHEREAS, \$24,200 was expended in 2021 for the update of the REP Plan; and

WHEREAS, \$29,780 was encumbered in 2021 for the update of Public Safety Tower security; and

WHEREAS, this grant is a three year reimbursement grant and there is a need to re-appropriate unallocated funds into the 2022 budget; now, therefore, be it;

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

A36400 Emergency Management

(Revenues)

Amount	Object#	Project ID	Object Name	Project Name
\$ 9,751 to	44302	SHS19	Fed-Homeland Security	Homeland Security Grant

(Appropriations)

Amount	Object#	Project ID	Object Name	Project Name
\$ 8,131 to	52500	SHS19	Other Equipment	Homeland Security Grant
\$ 1,620 to	54400	SHS19	Contracted Services	Homeland Security Grant

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

RESOLUTION 228-22: AUTHORIZATION TO AMEND THE 2022 BUDGET TO CARRY OVER THE 2021 REMAINING BALANCE FOR THE 2020 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT

Mr. Verno presented the following:

WHEREAS, resolution 019-21 authorized the acceptance of the 2020 SHSP Grant in the amount of \$121,714; and

WHEREAS, \$73,000 of this grant was budgeted to partially fund the salary and benefits of the Emergency Management Project Coordinator; and

WHEREAS, the balance of the grant is to be used for a Network Access Control System, COVID Personal Protective Equipment, Soft Target Protection and related items; and

WHEREAS, \$29,595 was expended in 2021 for Personal Protective Equipment; and

WHEREAS, this grant is a three year reimbursement grant and there is a need to re-appropriate unspent funds into the 2022 budget; now, therefore, be it;

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

A36400 Emergency Management

(Revenues)

Amount	Object#	Project ID	Object Name	Project Name
\$19,119 to	44302	SHS20	Fed-Homeland Security	Homeland Security Grant

(Appropriations)

Amount	Object#	Project ID	Object Name	Project Name
\$19,119 to	54400	SHS20	Contracted Services	Homeland Security Grant

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

RESOLUTION 229-22: AUTHORIZATION TO AMEND THE 2022 BUDGET TO CARRY OVER THE 2021 REMAINING BALANCE FOR THE 2021 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT

Mr. Verno presented the following:

WHEREAS, resolution 500-21 authorized the acceptance of the 2021 SHSP Grant in the amount of \$108,829; and

WHEREAS, \$65,000 of this grant was budgeted to partially fund the salary and benefits of the Emergency Management Project Coordinator; and

WHEREAS, the balance of the grant is to be used for contracted cyber security software and associated services; and

WHEREAS, \$12,872.95 was expended in 2021 for software and contracted services; and

WHEREAS, this grant is a three year reimbursement grant and there is a need to re-appropriate unspent funds into the 2022 budget; now, therefore, be it

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

A36400 Emergency Management

(Revenues)

<u>Amount</u>	<u>Object#</u>	<u>Project ID</u>	<u>Object Name</u>	<u>Project Name</u>
\$30,956.05 to 44302		SHS21	Fed-Homeland Security	Homeland Security Grant

(Appropriations)

<u>Amount</u>	<u>Object#</u>	<u>Project ID</u>	<u>Object Name</u>	<u>Project Name</u>
\$30,956.05 to 54400		SHS21	Contracted Services	Homeland Security Grant

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

RESOLUTION 230-22: AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS FOR IMPLEMENTATION SERVICES FOR THE COUNTY EMS CAPITAL PROJECT

Mr. Verno presented the following:

WHEREAS, Board of Supervisors resolution 124-22, entitled Authorization to Establish County Emergency Medical Services Capital Project and Amend the Budget, included an endorsement of the establishment of a County transporting EMS system, and

WHEREAS, the County Administrator and ALS Director have reviewed the tasks to be completed in association with the implementation of the new EMS system and agency, and have concluded that the most expeditious and efficient manner to complete the tasks required would be through the addition of a person or firm whose sole focus for the County is to investigate, coordinate, manage, and oversee the implementation of this project, and

WHEREAS, said individual or firm would function as an independent contractor, and not a County employee, for a period currently estimated at two years; now, therefore be it

RESOLVED, that the Board of Supervisors hereby authorizes the release of an RFP (Request for Proposals), seeking qualified firm to act as a Project Implementer and independent contractor to develop the County's EMS project, on a temporary basis, with said RFP to be developed with the assistance of, and released by, the County Purchasing Agent.

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

RESOLUTION 231-22: AUTHORIZATION TO REMOVE MEMBERS FROM THE TECHNICAL

DECON TEAM

Mr. Verno presented the following:

WHEREAS, Chris Ferrante and Kevin Flynn are currently members of the Technical Decon Team; and

WHEREAS, it is the recommendation of the Fire Coordinator that both members be removed from the Technical Decon Team; now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors hereby approves the removal of Mr. Ferrante and Mr. Flynn as Technical Decon Team Members.

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

RESOLUTION 232-22: AUTHORIZATION TO PURCHASE COMPLIANCE AND SECURITY SOFTWARE TRAINING SUBSCRIPTION FROM KNOWBE4, INC.

Mrs. Leonard presented the following:

WHEREAS, the State of New York requires specific training be conducted for compliance yearly; and

WHEREAS, the county's open source training software is becoming obsolete; and

WHEREAS, KnowBe4, Inc. can provide New York state compliance training as well as cyber security training and is used widely throughout New York State; and

WHEREAS, KnowBe4, Inc. has provided Wayne County with a quote using Sourcewell contract number 081419-SHI for a term of 36 months for a total cost of \$25,765.74 paid in advance now, therefore, be it

RESOLVED, the Director of Information Technology is authorized to purchase a training software subscription for a term of 36 months paid in advance to KnowBe4, Inc. for the amount of \$25,765.47 subject to review and approval by the County Attorney as to form and content.

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

RESOLUTION 233-22: AUTHORIZATION TO RENEW AGREEMENT WITH VISUAL COMPUTER SOLUTIONS, INC. FOR MAINTENANCE OF THE SHIFT SCHEDULING AND TIME SHEET SOFTWARE PROGRAM FOR THE OFFICE OF THE SHERIFF AND E-911

Mrs. Leonard presented the following:

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

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

WHEREAS, the annual cost of software support and updates for the period of June 2022 to May 2023 is \$7037.16; now, therefore, be it

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

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

RESOLUTION 234-22: AUTHORIZING PUBLIC AUCTION SALE OF REAL PROPERTY ACQUIRED BY THE COUNTY FOR DELINQUENT TAXES

Mrs. Leonard presented the following:

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

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law, real property acquired by tax deed or Court Order may be disposed of by the County at such

times and upon such terms as shall be determined by the Board of Supervisors; now, therefore, be it

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

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

SECOND: The Director of Real Property Tax Services is hereby authorized, empowered and directed to conduct an on-line auction sale of the properties listed on Appendix A at COLLARCITYAUCTIONSONLINE.COM on June 30, 2022 beginning at 11 AM.

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

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

COUNTY OF WAYNE REAL PROPERTY AUCTION SALE

ON-LINE FORMAT

JUNE 30, 2022 @ 11 am EST

REGISTRATION AND PREVIEW OF ALL PROPERTIES ON-LINE JUNE 1, 2022 – JUNE 29, 2022

TERMS AND CONDITIONS OF SALE

Addendum A

COUNTY OF WAYNE, NY REAL ESTATE AUCTION

PARTIAL AUCTION TERMS - SEE BIDDER APPLICATION AND WEBSITE FOR ADDITIONAL DOCUMENTS AND INFORMATION

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

This contract and all related documents should be reviewed by your counsel prior to bidding as it contains terms and requirements which are not subject to modification, bid withdrawal or bid cancellation. By bidding on any property being offered for auction, you acknowledge that you have either: (1). reviewed the contract with your attorney or, (2). waived right of attorney review.

Further note that failure of purchaser to secure financing prior to date of transfer does not constitute grounds for an extension or return of the Down Payment and Buyer's Premium.

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

2. All potential Bidders/Buyers must BECOME A MEMBER WITH COLLAR CITY AUCTIONS@ WWW.COLLARCITYAUCTIONSONLINE.COM.

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

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

5. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom the County Foreclosed tax liens and has no intent to defraud the County of the unpaid taxes, assessment, penalties, and charges which have been levied against the property. The purchaser agrees that

neither he/she nor his/her assigns shall convey, transfer, or assign the property to the former owner(s) against whom the County foreclosed within 24 months subsequent to the auction date. If such conveyance occurs, the purchaser understands that he/she will be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as were owed to the County for unpaid taxes prior to the tax lien foreclosure on the property and consents to immediate judgment by the County for said amounts in addition to reasonable attorney's fees and expenses.

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

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

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

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

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

11. Any successful bidder, who fails to tender the deposit as outlined, will be forbidden to participate in this or any other auction for a time period of 18 months. Any parcels where the deposit was not received at the close of the auction contract completion date will be considered defaulted. If a purchaser fails to close on the parcel(s) that he/she bids on at the auction, he/she will be prohibited from participating at future auctions held for the County of Wayne for a time period of 18 months.

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

13. As specified in the "Online Bidder Application" I unconditionally acknowledge, agree and authorize the Auction Company to place a \$1,000.00 hold on my credit or debit card (NO PREPAID CARDS OR AMERICAN EXPRESS ACCEPTED) which will be released if I am not the successful bidder or you may include an official bank check made payable to Collar County Auctions Realty & Mgmt, Inc. PERSONAL AND BUSINESS CHECKS WILL NOT BE ACCEPTED. Non-winning bidders will receive a full refund in approximately 10-business days

post auction without any accrued interest. Credit card hold will be released upon completion of the purchase and sale contracts for winning bidders and within five business days for non-winning bidders. The hold is required in order to be approved to obtain bidding privileges and will only be converted to a fully executable charge and retained if the successful high bidder does not perform and complete the required purchase contracts and addendums by appointment on July 11 & 12, 2022, Wayne County Office Building, 16 Williams Street, Lyons, NY 14489. I further unconditionally grant permission to the auction company to charge my credit or debit card in full or part for all amounts due if I default in any contractual obligations herein and forever forgo any and all rights to place a chargeback or dispute on any charge placed on my credit card related to my obligations agreed to herein as well as contained in the Online Bidder Application Credit/Debit Card Agreement. If I attempt or do place any chargeback, file a dispute or claim of any kind or attempt to cancel any hold now or in the future, I unconditionally grant the auction company permission to charge all monies due in full or increments as available and I further acknowledge to my credit card company that if I file a dispute, chargeback or any claim to attempt a block, reversal or cancellation of any charge or hold placed due auction company or the County that it is not valid and further instruct and grant unconditional authorization and permission to my credit card company to void my chargeback, dispute or requests of any kind now and forever. Additionally, I grant the auction company permission to charge my credit card now or at any time in the future an additional recovery fee, in full or increments, the amount of \$750.00 to cover their time involved with answering any chargeback, dispute or claim now or in the future. I also acknowledge and agree to reimburse the auction company and County all time, legal expenses, attorney fees incurred if I cause litigation or any claim that would cause these types of fees to be incurred. I further agree not to close any credit card in an attempt to prevent fees due from being charged to my credit card. I unconditionally acknowledge and agree that upon registering and entering my name and credit card information into the auction company's registration process that I am electronically signing and guaranteeing that I have read, fully understand and agree to abide by and be bound by all related terms herein. I agree to be fully responsible for all associated costs involved with the resale, remarketing and any deficiency if I default and the Auction Company and County must resell any property(s) due to my default. I agree that if I bid on multiple properties, these terms and all fees apply individually to each separate parcel.

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

15. By registering, I acknowledge I have sufficient funds to meet all requirements as called for by the terms within the Online Bidder Application as well as purchase agreement post auction. I agree to be fully responsible for all collection costs, plus reasonable attorney fees related to any and all collection costs incurred by the County or auction company if I default and fully understand that litigation between the County and any bidder or buyer will only be brought forth in Wayne County Supreme Court and any litigation between the auction company and any bidder or buyer shall only be brought forth in Schenectady County Supreme Court.

16. Upon being declared the high bidder on a parcel, the Bidder as Purchaser will be contacted by the Auction Company to schedule an appointment which will take place, Wayne County Office Building, 16 Williams Street, Lyons, NY 14489, Tuesday, July 11 & 12, 2022 from 10:00 am to 4:00 pm and at that time the buyer will be required to execute the Contract of Sale Packet and remit the required Down Payment of 10 Percent of the bid price and 6% or 10% Buyer's Premium, per property and based on the total on bid amount. If a bid price is \$1,000.00 or less, plus buyer's premium and all other required fees/costs, if any described herein, shall be the total purchase price and must be paid in full at time of contract completion. Bidder is encouraged to pay the entire bid price at Contract of Sale execution. All monies must be made in CASH or Cashier's Check, Visa, Mastercard or Discover. No American Express or Pre-paid Credit Cards. Cashier's Checks must be payable to the Collar City Auctions Realty & Mgmt, Inc. Escrow and drawn on banks insured by the Federal Deposit Insurance Corporation (FDIC) or National Credit Union Association (NCUA). No exceptions.

17. The property will be sold as advertised and "AS IS" with absolutely no warranty or

guaranty, expressed or implied. I agree to accept the property in, "AS IS" condition with all faults as defined in the Auction Rules and Sales Contract. No representations of any kind are or have been made by the Auction Company, County of Wayne or their agents as to the title or physical condition of the property or as to the existence of any improvements thereon including water/well and sewer/septic systems. The sale of these properties is pursuant to a purchase contract. Failure of purchaser to secure financing prior to date of transfer does not constitute grounds for an extension or return of the down payment or buyer's premium. All information contained in the Auction Brochure and contained within the website of Collar County Auctions Realty & Management, Inc. (herein after known as "Auction Company") and contained in the Online Bidder Application is supplied for informational purposes only and not guaranteed. Prospective purchasers are urged to fully research any property prior to bidding at auction. Furthermore, all parties agree to hold harmless the County, Auction Company and their agents from any errors and or omissions, injury and or other matter that may arise now or in the future.

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

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

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

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

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

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

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

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

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

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

21. I understand and agree that if at any time prior to the recording of the deed, the County of Wayne determines that the Buyer is one of the persons set forth in paragraph 4, 5 and 6 herein or in violation of paragraph 8 herein, the County of Wayne at its sole option shall declare the public online auction sales contract breached and the County of Wayne shall retain any and all down payments made, and the Buyer shall forfeit all buyer's premium to the auction company paid or due and owing. I understand that if I am an elected official bidding on tax property within the local government jurisdiction that I serve, knowingly entering into a purchase

contract is in violation of state law and may subject me to criminal and/or civil penalties including but not limited to: forfeiture of deposits, purchase price, buyer's premium, and title to the subject property.

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

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

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

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

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

- a) Rights of the public and others in and to any part of the premises that lies within the bounds of any street, alley, or highway.
- b) Manufactured home, mobile home or trailer liens, if any.
- c) All covenants, leases, easements and restrictions of record affecting said premises, if any.
- d) Any state of facts that an accurate, currently dated survey might disclose.
- e) Environmental conditions of property.
- f) All New York State and Federal tax liens, if any.
- g) All taxes due as applicable and disclosed on the date of the auction. It is understood that these taxes may not be exact and owing
- h) Village tax liens, if any.
- i) Back delinquent taxes are forgiven, and the Buyer shall not be liable for any previous taxes owed by the former owner.

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

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

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

30. All bids are subject to acceptance by the Wayne County Board of Supervisors. The purchaser's bid will be submitted to the Board of Supervisors on July 20, 2022. It shall be the purchaser's responsibility on July 21, 2022 to visit the website of Collar City Auctions Realty & Mgmt., Inc at www.CollarCityAuctionsOnline.com to determine whether my bid was accepted or rejected by the Board of Supervisors or call our office at 888-222-1522.

31. The purchaser must pay the balance of the purchase price (paid in cash, certified check, bank check, money order, credit card) payable to the Wayne County Treasurer) together with the necessary recording taxes and fees (paid in cash or check payable to the Wayne County Clerk) to the Wayne County Treasurer's Office not later than 3 PM on JULY 27, 2022. Upon receipt of such payments, the deed will be recorded in the County Clerk's Office and mailed to the purchaser upon completion of the recording process.

The purchaser may not assign his/her right to complete the sale. ALL DEEDS SHALL BE EXECUTED SOLELY IN THE NAME OF THE BIDDER (AND SPOUSE, IF REQUESTED) AS REGISTERED AT THE AUCTION. If the purchaser fails to make such payments on or before JULY 27, 2022, the sale shall be deemed cancelled, the County shall not be obligated to convey the property to the purchaser and the purchaser's deposit shall be retained by the County as liquidated damages.

IF THE BALANCE DUE FROM BUYER(S) PLUS ANY ADDITIONAL CHARGES ON EACH PROPERTY PURCHASED AT AUCTION IS NOT RECEIVED IN FULL ON OR BEFORE WEDNESDAY JULY 27, 2022, BY 3:00 P.M. at the County of Wayne Treasurer's Office, 16 Williams Street, Lyons, NY 14489, THE BUYER(S) SHALL IMMEDIATELY FORFEIT THEIR DOWN PAYMENT OR ANY PAYMENTS MADE WITHOUT RECOURSE AND THE PURCHASE AND SALE AGREEMENT SHALL BECOME NULL AND VOID FOR ANY OBLIGATION THE COUNTY AND AUCTION COMPANY HAD TO PURCHASER. Purchaser agrees and understands that the buyer's premium is deemed earned by Auction Company upon approval or acceptance of bid by the County and is non-refundable. This means when you become the successful high bidder through bidding. A sample Purchase and sale agreement is available online at www.CollarCountyAuctionsOnline.com or call our office at 518-895-8150 x 103 to request a sample be sent via USPS if you do not have internet access. No internet access? You may also place a bid utilizing our "Absentee Bid Form Contained within the "Online Bidder Application". Persons defaulting from prior year's auctions are disqualified for eighteen months from participating in delinquent property tax auctions or acquiring title through such process.

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

- a) Filing fee for the Real Property Transfer Report (RP-5217) of \$125.00 if the property is classified as agricultural, a 1-3 family dwelling, an apartment, or condominium, and \$250.00 if the property is otherwise classified (vacant, commercial, entertainment, community service, industrial, public service, forest, etc.
- b) Filing fee for combined Capital Gains Transfer Tax Affidavit \$5.00
- c) Preparing, recording and filing of the deed, \$55.00
- d) Capital Gains Transfer Tax, \$4 per thousand of bid price

33. Property Inspections: Please drive by vacant land parcels. Improved properties may ONLY be inspected from the exterior. Please do not enter any improved properties. Please ONLY Drive by Occupied Properties. If an improved property appears to be occupied, you are only permitted to view from the road. Evictions, if necessary, are solely the responsibility of the successful bidder after closing and recording of the deed.

34. Purchasers are not responsible for payment of any delinquent County property taxes prior to the foreclosure. Purchasers will, however, be responsible for the current year 2022 Village property tax bill and any relevy. If the property tax payment for any village parcels that include a relevy are not received, the purchaser will be responsible for the full amount of the village bill to include all relevy amounts. Any 2022 village property tax bills not paid must be paid directly to the Village as instructed on the bill. The County will convey the property free and clear of County tax liens accrued on or before January 1, 2022.

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

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

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

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

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

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

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

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

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

RESOLUTION 235-22: 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.	67113-00-407376	
Assessed to:	WCRLB	
Total Tax Difference	\$ 7,186.09	Total County Tax Difference: \$ 1,407.59
Corrected Total Tax:	\$ 3,196.24	

TOWN OF ARCADIA

2022 Tax Roll

Account No.	67113-00-374381	
Assessed to:	WCRLB	
Total Tax Difference	\$ 823.88	Total County Tax Difference: \$ 161.38
Corrected Total Tax:	\$ 71.28	

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

RESOLUTION 236-22: 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 WALWORTH

2022 Tax Roll
Account No. 62113-08-792923
Assessed to: Johnson, Jeffrey E & Lisa M
Total Tax Difference\$ 284.34 Total County Tax Difference: \$ 165.58
Corrected Total Tax: \$ 2,220.95

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

**RESOLUTION 237-22: AUTHORIZATION TO AMEND CONTRACT WITH THE BONADIO
GROUP FOR ADDITIONAL TESTING**

Mrs. Leonard presented the following:
WHEREAS, Wayne County is under contract with the Bonadio Group for Independent
Audit Services; and
WHEREAS, it has been determined that the County's Federal Fund on the single audit has
been under reported and must be amended; and
WHEREAS, more testing must be done to be compliant in our single audit; and
WHEREAS, the fees for the additional testing are as follows:

- 2019 – Testing of the additional program, reissuance of the Single Audit Report, re-opening and reissuance of the Data Collection Form \$3,000.
- 2019 – Reissuance of the County-wide financial statements to report the reclassification of State Aid to Federal aid and the necessary subsequent review procedures to update the audit as of the report date \$2,500.
- 2020 – Reissuance of the Single Audit Report, re-opening and reissuance of the Data Collection Form \$2,000.
- 2020 – Reissuance of the County-wide financial statements to report the reclassification of State Aid to Federal aid and the necessary subsequent review procedures to update the audit as of the report date \$2,500.
- 2021 – Testing of the additional program due to the re-issuance in 2019 \$2,000.

Total fee for additional services - \$12,000

RESOLVED, that the Wayne County Board of Supervisors authorizes the amendment of the agreement with the Bonadio Group, subject to the approval of the County Attorney as to form and content, to increase the payment for services for an amount not to exceed \$12,000.00, to be billed on a per hour basis based on the staff assigned to the project; and be it further

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

A1990 General Fund Contingencies
(Appropriations)
\$12,000.00 from .54000 Contractual Expenses

A13204 General Fund County Auditor

\$12,000.00 to .54501 Accountants & Auditors

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

RESOLUTION 238-22: AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS FOR OUTSIDE COUNSEL TO ASSIST WITH BROADBAND PROJECT CONTRACT NEGOTIATIONS

Mrs. Leonard presented the following:

WHEREAS, Resolution 490-21 authorized the Broadband Committee to enter into negotiations with Charter Communications Inc. to negotiate costs, terms and conditions of a public-private partnership agreement; and

WHEREAS, it is in the best interest of the county to obtain outside counsel with specific expertise in the technical components of the proposed agreement and that is well-versed in what terms and conditions are appropriate, related to industry standards, for the creation of such public-private partnership and resulting agreement; and

WHEREAS, in accordance with General Municipal Law 104-B and the Wayne County Purchasing Policy, the county is required to issue a Request for Proposals (RFP) to procure the required professional service; now, therefore be it,

RESOLVED, that the Economic Development and Planning Department, in coordination with the Purchasing Department, be authorized to solicit a Request for Proposals for outside counsel to assist with contract negotiations for the Broadband Project; and be it further

RESOLVED, that once proposals are evaluated, a recommendation will be brought before the Board of Supervisors to authorize the county to enter into a contract for outside counsel services and allocate funds.

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

RESOLUTION 239-22: AUTHORIZATION TO REMIT PAYMENT TO A MEMBER OF THE BOARD OF SUPERVISORS FOR SERVICES PROVIDED

Mrs. Leonard presented the following:

WHEREAS, during the semi-monthly audit of claims for payment by the Wayne County Audit Office it was determined an invoice was submitted by Steve Groat Studios, and

WHEREAS, it was determined that this business is owned by a member of the Board of Supervisors, and

WHEREAS, section 6 of the Wayne County Purchasing Policy states "no official or employee of the County shall have financial interest in any purchase or contract secured by the County, without disclosure to and authorization from the originating department's standing committee," and

WHEREAS, a Board of Supervisor member is not assigned to report to a standing committee, and therefore cannot seek disclosure to and approval from said committee as required by the Purchasing Policy, and

WHEREAS, it has been determined by the County Administrator and County Attorney that the adoption of a resolution is required to remit payment for this service, now therefore be it

RESOLVED, the Board of Supervisors authorizes the payment of \$295.00 to the vendor, Steve Groat Studios that is owned by Board of Supervisor member Steve Groat, for the color composite photo portrait and layout of the Board of Supervisors.

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

RESOLUTION 240-22: AUTHORIZATION TO REJECT BIDS FOR THE SALE OF COUNTY PROPERTY – TOWN OF ROSE

Mrs. Leonard presented the following:

WHEREAS, Resolution 108-22 authorized to the County Treasurer to sell a property located at 10712 Wolcott Rd in the Town of Rose that was acquired via the tax foreclosure process and not sold at public auction due to legal proceedings; and

WHEREAS, the County Treasurer has duly advertised for bids on the property and bids were opened on Friday April 8th, 2022 at 2pm and the following bid was received:

<u>Bidder</u>	<u>Total Bid</u>
Michael Lockwood 6029 Auburn St Wolcott, NY 14590	\$900.00

WHEREAS, the bid is not sufficient to cover the amount of taxes that were written off; and
WHEREAS, the County will be holding a public auction in July to sell other tax foreclosure parcels; and

WHEREAS, based on these factors the County Treasurer recommends that this bid be rejected and this parcel be added to the list of parcels to be sold in the upcoming auction; now therefore be it

RESOLVED, that the Wayne County Board of Supervisors rejects the bid received; and be it further

RESOLVED, that the parcel located at 10712 Wolcott Rd be added to the 2022 Tax Foreclosure Auction held in July 2022.

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

RESOLUTION 241-22: REQUESTING NEW YORK STATE LEGISLATURE TO ENACT SENATE BILL S8707 AND ASSEMBLY BILL A9778 TO IMPOSE A HOTEL OR MOTEL OR SEASONAL RENTAL OCCUPANCY TAX FOR THE COUNTY OF WAYNE

Mrs. Leonard presented the following:

WHEREAS, several counties throughout New York State presently impose an occupancy tax; and

WHEREAS, the Board of Supervisors has requested this same authority for the County of Wayne; and

WHEREAS, proceeds of said tax would be used to promote the general welfare of the residents of Wayne County and fund county operations; and

WHEREAS, in support of Wayne County's request, Senator Pamela Helming has introduced bill S8707 in the New York State Senate and Assemblyman Brian Manktelow has introduced bill A9778 in the New York State Assembly; now therefore be it

RESOLVED, that the Wayne County Board of Supervisors requests the State Legislature adopt bills S8707 and A9778 authorizing the County of Wayne to impose a hotel or motel or seasonal rental occupancy tax; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to forward copies of this resolution to Governor Kathy Hochul, Senator Pamela Helming, Assemblyman Brian Manktelow; and all those deemed necessary and proper.

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

ADJOURNMENT:

The next scheduled Board Meeting is **Tuesday, April 26, 2022 at 9:00 a.m.** On motion of Mrs. Leonard and seconded by Mr. Kolczynski the Board adjourned the meeting at 10:03 a.m. Carried.

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