

10th Day  
Tuesday, June 15, 2021  
9:00 a.m.

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

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

Upon roll call, all Supervisors were present except for Supervisors Verkey, Kolczynski and Lasher.

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

**APPROVAL OF MINUTES:**

Mr. Johnson moved, seconded by Mr. Chatfield, to waive the reading of the minutes of the previous meetings and approve them as distributed. Upon roll call, carried.

**COMMUNICATIONS:**

A copy of the Sheriff's Office Cash Receipts Report dated May 21, 2021 totaling \$8,188.51 was received and filed.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments including the May, 2021 warrants for accounts payable, totaling \$5,322,909.65 was received and filed.

An email was received from Ralph Brongo in support of the Environmental Conservation Law Section 11-0935 promoting youth deer hunting.

The New York State Office of Mental Health (OMH) recognized the work and commitment of Wayne Behavioral Health Network (WBHN) in naming the organization as a recipient of the annual OMH Commissioner's Community Care Awards for 2021.

A thank you note was received from former Clerk of the Board, Sandy Sloane thanking supervisors for sharing in her retirement celebrations last month.

Supervisor Spickerman asked Wayne County Tourism Director, Christine Worth, to come to the podium and be acknowledged for being selected as this year's recipient of the New York State Tourism Industry Association's Leadership Award for her response to offer and promote tourism activities during COVID-19. In addition, the County's Tourism Office won the 2021 New York State Tourism Excellence Award for COVID Marketing Response and a State Tourism Excellence Award for the digital marketing campaign the Tourism Office created for the Apple Tasting Tour. Mrs. Worth thanked the Board of Supervisors and Public Health Director, Diane Devlin, for their assistance and support as her Office developed promotional activities during these challenging times. The Apple Tasting app was so successful it will be using it again this year.

Chairman Miller acknowledged Wayne County Mental Health Department Director, Jim Haitz, for being named by the Governor to a Commission as a State Public Officer on the New York State Rural Health Council. Mr. Haitz stated it is an honor to be selected to represent rural communities and an opportunity to bring his perspective to the table in regard to state-level health care.

Mrs. Bender moved, seconded by Mrs. Jacobs, that the June 2021 communications be received and filed. Motion carried.

**PRIVILEGE OF THE FLOOR:**

Chairman Miller opened the floor at this time for members of the public to address the Board of Supervisors regarding items listed on the agenda for action.

Sodus Resident Jim Woods addressed the Board regarding a resolution on today's Board agenda to hire staff at the Mental Health Department, with grant funds, to start-up a 24/7 Mobile

Crisis Team and enhance other behavioral health programs in Wayne County. He encouraged Supervisors to vote in favor of the request.

#### **SCHEDULED BUSINESS:**

Public Hearings for comment on Wayne County's current Community Development Block Grant (CDBG) Projects, Proposed Local Law for a Pilot Youth Deer Hunting Program and the 2022-2026 Capital Plan for Wayne County.

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

The Clerk read the following public hearing notices:

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

The Wayne County Board of Supervisors will hold a public hearing on **Tuesday, June 15, 2021 at 9:05 AM** in the Supervisors Chambers at 26 Church Street, Lyons, New York 14489 for the purpose of hearing public comments on Wayne County's community development needs, and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2021 program year. The CDBG program is administered by the New York State Office of Community Renewal (OCR), and will make available to eligible local governments up to \$60 million for the 2021 program year for housing, economic development, public facilities, public infrastructure, planning and CDBG CARES activities, with the principal purpose of benefitting low/moderate income persons. The hearing will provide further information about the CDBG program and will allow for citizen participation in the development of any proposed grant applications and/or to provide technical assistance to develop alternate proposals. Comments on the CDBG program or proposed project(s) will be received at this time. The hearing is being conducted pursuant to Section 570.486, Subpart I of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended.

26 Church Street, Lyons, New York is accessible to persons with disabilities. If special accommodations are needed for persons with disabilities, those with hearing impairments, or those in need of translation from English, those individuals should contact Kelley Loveless at 315-946-5400, at least one week in advance of the hearing date to allow for necessary arrangements. Written comments may also be submitted to the Clerk of the Board of Supervisors until June 18, 2021 at 26 Church Street, Lyons, New York 14489.

At 9:13 a.m., Chairman Miller opened the floor for the public, stating that people interested in making comment on Wayne County's community development needs, should come forward to the podium to address the Board. Further, he requested that they state their name and address for the record. There was no public comment at this time.

After an additional request for comment was made, Chairman Miller asked for a motion to close the hearing.

Mrs. Jacobs moved, seconded by Mr. Robusto, that the hearing be closed at 9:15 a.m. Upon roll call, carried.

The following additional comments were submitted from the Economic Development & Planning Office regarding the CDBG Public Hearing:

1. Micro-enterprise business development support for new and expanding businesses- technical assistance, grants, and loans
2. Micro-enterprise revolving loan programs especially downtown revitalization
3. St. Michael's school in Newark- consider renovating it to senior housing

4. Main Street or Downtown development and second story residential.
5. Well and Septic replacement for qualifying individuals
6. Funding for studies and/or programs dealing with environmental (Slum/Blight) and potential economic development for properties delinquent in real property taxes.
7. Additional studies regarding resiliency along the shorelines of Wayne County
8. Economic development programs benefiting LMI persons.
9. Business planning education for people wanting to start a business
10. Infrastructure support for new and expanding businesses that hire LMI individuals
11. Housing rehab and water line installation where living conditions and water quality are substandard.
12. Any project that directly supports the Wayne County Economic Development Strategic Plan.
13. Farm worker housing rehab grant to help improve farm workers living conditions.
14. Downtown revitalization programs are important both business and housing rehabilitation. Sidewalks/ walkable communities are important.
15. Brownfield investigation and strategic planning to address issues.
16. Housing Plan- there is a need to conduct an inventory of market-rate and below-market-rate housing stock to identify areas of need. A good market study can ensure there is a sufficient range of housing choices to attract workers and management from new and expanding businesses.
17. Manufactured and mobile home replacement program to assist income eligible property owners
18. Consolidation of Geographic Information system resources across departments, towns, and County authorities, to promote efficiency and responsiveness
19. Assistance to residents and County offices recovering from the effects of COVID-19, through programs such as CARES funding

**COUNTY OF WAYNE  
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT the Wayne County Board of Supervisors will conduct a Public Hearing at **9:05 a.m. on Tuesday, June 15, 2021** at the Wayne County Court House, Supervisors Chambers, 26 Church Street, Lyons, New York 14489 on the following proposed Local Law to Participate in a Pilot Youth Deer Hunting Program in Wayne County, Consistent with the Provisions of Environmental Conservation Law Section 11-0935.

At 9:15 a.m., Chairman Miller opened the floor for the public, stating that people interested in making comment on Wayne County's community development needs, should come forward to the podium to address the Board. Further, he requested that they state their name and address for the record. There was no public comment at this time.

After an additional request for comment was made, Chairman Miller asked for a motion to close the hearing.

Mr. Johnson moved, seconded by Mr. Eygnor, that the hearing be closed at 9:16 a.m. Upon roll call, carried.

**COUNTY OF WAYNE  
NOTICE OF PUBLIC HEARING**

**2022-2026 CAPITAL PLAN FOR WAYNE COUNTY**

NOTICE IS HEREBY GIVEN THAT the Wayne County Board of Supervisors will conduct a Public Hearing at **9:05 a.m. on Tuesday, June 15, 2021** at the Wayne County Court House, Supervisors Chambers, 26 Church Street, Lyons, New York 14489, to consider public

comments concerning revisions to the capital plan for Wayne County.

The proposed Capital Plan is a planning instrument and not an appropriations or funding commitment.

Copies of the proposed Capital Plan are on file with the Clerk of the Board and may be inspected at the County Court House during normal business hours; and also by referring to the Wayne County website.

At 9:16 a.m., Chairman Miller opened the floor for the public, stating that people interested in making comment on Wayne County's community development needs, should come forward to the podium to address the Board. Further, he requested that they state their name and address for the record. There was no public comment at this time.

After an additional request for comment was made, Chairman Miller asked for a motion to close the hearing.

Mr. Chatfield moved, seconded by Mr. Johnson, that the hearing be closed at 9:17 a.m. Upon roll call, carried.

Supervisors Bender and Jacobs both commended Mr. Brian Sams and Mr. Ken Blake on their work on the Capital Plan.

**RESOLUTION 274-21: AUTHORIZATION FOR THE WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH TO ACCEPT CONSOLIDATED APPROPRIATIONS ACT STIMULUS FUNDING FROM THE STATE OFFICE FOR AGING AND AMEND THE COUNTY BUDGET**

Mr. Verno presented the following:

WHEREAS, the NY State Office for Aging received stimulus funding from the Coronavirus Response and Relief Supplemental Appropriations Act federal stimulus bill for distribution to local Area Agencies on Aging throughout NY State; and

WHEREAS: Wayne County's portion of this money comes to a total of \$351,842 in support of services for seniors during the Coronavirus Disaster to be expended by September 30, 2024; and

WHEREAS: the additional funding is not included in the existing in the 2021 County budget; therefore be it

RESOLVED, that the Wayne County Department of Aging and Youth be authorized to accept the federal stimulus funding in the amount of \$351,842; and further be it

RESOLVED, that the Wayne County Treasurer is authorized to make the following adjustments to the 2021 Aging and Youth Budget:

A6772 Department of Aging

(Revenues)

\$351,842 to 44772 Programs for the Aging

(Appropriations)

\$351,842 to 54891 Other Direct Expenses

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

**RESOLUTION 275-21: AUTHORIZATION FOR WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH TO ENTER INTO A CONTRACT WITH JOBS DONE RIGHT (A SUBSIDIARY OF UNIVERSAL INDUSTRIES EAST – FLDDSO – OPWDD) FOR CLEANING SERVICES FOR SENIORS BEING DISCHARGED HOME FROM THE HOSPITAL OR NURSING HOME**

Mr. Verno presented the following:

WHEREAS, the Wayne County Department for Aging and Youth was awarded stimulus funding through the CARES Act and the Families First Corona Virus Response Act to provide needed services to seniors during the Coronavirus Emergency, and

WHEREAS, the Department has identified a need for availability of services to facilitate a successful transition home for seniors with limited supports being discharged from the hospital or nursing home; and

WHEREAS, the County issued an RFP for such service allowing for multiple successful bidders; and

WHEREAS, Jobs Done Right was one such successful bidder; and

WHEREAS, the Department of Aging and Youth desires to enter into a contract with Jobs Done Right (a subsidiary of Universal Industries East – FLDDSO – OPWDD) for the purpose of providing cleaning services to seniors with limited supports who are returning home after a hospital or nursing home stay in order to try to avoid a preventable readmission, therefore be it

RESOLVED, the Chairman of the Board of Supervisors is authorized and directed to execute a contract with the Jobs Done Right (a subsidiary of Universal Industries East – FLDDSO – OPWDD) for the purpose of providing cleaning services to seniors with limited supports who are returning home after a hospital or nursing home stay at a cost not to exceed \$40,000 through December 31, 2022, subject to the County Attorney's approval as to form and content, and contingent on availability of funding, further be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following budget adjustments in the 2021 budget to expend \$12,000 of the Stimulus funds for the time period of January 1, 2021 through December 31, 2021.

A6772-Aging Budget

(Appropriation)

\$12,000 from 54891 Other Direct Expenses

A6772- Aging

(Appropriation)

\$12,000 to 54400 Contracted Services

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

**RESOLUTION 276-21: AUTHORIZATION FOR WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH TO ENTER INTO A CONTRACT WITH TRUALTA, INC. FOR 3 YEAR SUBSCRIPTION TO A WEB-BASED FAMILY CAREGIVER TRAINING PLATFORM**

Mr. Verno presented the following:

WHEREAS, the Wayne County Department for Aging and Youth was awarded stimulus funding through the CARES Act and the Families First Corona Virus Response Act to provide needed services to seniors during the Coronavirus Emergency, and

WHEREAS, the Department has identified a need for availability of training to support family caregivers in their caregiving role; and

WHEREAS, Trualta, Inc. has a user friendly training platform specifically for family caregivers; and

WHEREAS, Trualta Inc. is a sole source provider for such software; and

WHEREAS, the pricing options are as follows: one year-\$23,400, two-years-\$42,120, and three-years-\$56,862; and

WHEREAS, the Department of Aging and Youth desires to purchase a 1-year

subscription to the Trualta Inc. software platform, therefore be it

RESOLVED, the Chairman of the Board of Supervisors is authorized and directed to execute a contract with Trualta Inc. for access for Wayne County caregivers to web-based caregiver training from July 1, 2021 to June 30, 2022, subject to approval by IT and the County Attorney as to form and content, and contingent on availability of funding, further be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following budget adjustments in the 2021 budget to expend \$23,400 of the Stimulus funds.

A6772-Aging Budget

(Appropriation)

\$23,400 from 54891 Other Direct Expenses

A6772- Aging

(Appropriation)

\$23,400 to 54400 Contracted Services

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

**RESOLUTION 277-21: AUTHORIZATION FOR WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH TO ENTER INTO A CONTRACT WITH NYSARC INC., WAYNE COUNTY CHAPTER (DBA THE ARC WAYNE) FOR CLEANING SERVICES FOR SENIORS BEING DISCHARGED HOME FROM THE HOSPITAL OR NURSING HOME**

Mr. Verno presented the following:

WHEREAS, the Wayne County Department for Aging and Youth was awarded stimulus funding through the CARES Act and the Families First Corona Virus Response Act to provide needed services to seniors during the Coronavirus Emergency, and

WHEREAS, the Department has identified a need for availability of services to facilitate a successful transition home for seniors with limited supports being discharged from the hospital or nursing home; and

WHEREAS, the County issued an RFP for such service allowing for multiple successful bidders; and

WHEREAS, NYSARC Inc., Wayne County Chapter was one such successful bidder; and

WHEREAS, the Department of Aging and Youth desires to enter into a contract with NYSARC Inc., Wayne County Chapter (DBA The Arc Wayne) for the purpose of providing cleaning services to seniors with limited supports who are returning home after a hospital or nursing home stay in order to try to avoid a preventable readmission, therefore be it

RESOLVED, the Chairman of the Board of Supervisors is authorized and directed to execute a contract with the NYSARC Inc., Wayne County Chapter (DBA The Arc Wayne) for the purpose of providing cleaning services to seniors with limited supports who are returning home after a hospital or nursing home stay at a cost not to exceed \$40,000 through December 31, 2022, subject to the County Attorney's approval as to form and content, and contingent on availability of funding, further be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following budget adjustments in the 2021 budget to expend \$12,000 of the Stimulus funds for the time period of January 1, 2021 through December 31, 2021.

A6772-Aging Budget

(Appropriation)

\$12,000 from 54891 Other Direct Expenses

A6772- Aging

(Appropriation)

\$12,000 to 54400 Contracted Services

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

**RESOLUTION 278-21: AUTHORIZATION TO EXECUTE MODIFICATION AGREEMENT WITH NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES (OCFS) IN RELATION TO CHILD CARE DEVELOPMENT BLOCK GRANT FUNDS**

Mr. Verno presented the following:

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

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

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

RESOLVED that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a Modification Agreement on behalf of the Wayne County Department of Social Services, subject to the County Attorney's approval as to form and content, with the New York State Office of Children and Family Services regarding the receipt and use of federal funds under the Child Care Development Block Grant in the amount of \$123,662 for the period 1/1/21 to 12/31/21.

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

**RESOLUTION: 279-21: AUTHORIZATION TO SIGN AGREEMENT WITH CHILD CARING INSTITUTION – ST. ANNE INSTITUTE**

Mr. Verno presented the following:

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

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

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement with St. Anne Institute for the timeframe 7/1/21-6/30/24 for the purchase of foster care for children, subject to the County Attorney's approval as to form and content for an amount not to exceed \$1,095,000 or \$365,000 per year.

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

**RESOLUTION 280-21: AUTHORIZING AGREEMENT WITH FLCC FOR DSS EMPLOYEE TRAINING**

Mr. Verno presented the following:

WHEREAS, training is an integral and necessary component of DSS work responsibilities, and

WHEREAS, NY State underwrites costs for training provided through contract with local Community Colleges, and

WHEREAS, Finger Lakes Community College has suitably and effectively provided

training in the past; therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement on behalf of the Wayne County Department of Social Services, subject to the County Attorney's approval as to form and content, with the Finger Lakes Community College to provide training for employees of the Department of Social Services for the period January 1, 2021 to December 31, 2021 at a total project cost not to exceed \$67,762.12.

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

**RESOLUTION 281-21: AUTHORIZATION TO SIGN AGREEMENT WITH CHILD CARING INSTITUTION CAYUGA HOME FOR CHILDREN D/B/A CAYUGA CENTERS**

Mr. Verno presented the following:

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

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

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement with Cayuga Home for Children d/b/a Cayuga Centers, for the time frame 7/1/21-6/30/24 for the purchase of foster care for children, subject to the County Attorney's approval as to form and content for a total amount not to exceed \$2,190,000 or \$730,000 per year.

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

**RESOLUTION 282-21: AUTHORIZATION FOR THE CHAIRMAN OF THE BOARD TO SIGN WORKFORCE INNOVATION OPPORTUNITY ACT (WIOA) ADMINISTRATIVE, ADULT, AND DISLOCATED WORKER AND CAREER CENTER SERVICES CONTRACT FOR THE PERIOD OF JULY 1, 2021 TO JUNE 30, 2022**

Mr. Verno presented the following:

WHEREAS, new WIOA contracts are required for the calendar year July 1, 2021 to June 30, 2022; and

WHEREAS, the budget and contracts were approved by the Finger Lakes Workforce Investment Board at their May 2021 meeting with Executive signatures required in June 2021; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized, upon review and approval of the County Attorney's Office, to enter into the following contract:

Administration	\$ 3,862.00
Adult	\$63,003.00
Dislocated Worker	\$68,709.00

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

**RESOLUTION 283-21: AUTHORIZATION FOR THE CHAIRMAN OF THE BOARD TO SIGN WORKFORCE INNOVATION OPPORTUNITY ACT (WIOA) YOUTH SERVICES CONTRACT FOR THE PERIOD OF JULY 1, 2021 TO JUNE 30, 2022**

Mr. Verno presented the following:

WHEREAS, the new WIOA contracts are required for the calendar year July 1, 2021 to June 30, 2022; and

WHEREAS, the budget and contracts were approved by the Finger Lakes Workforce Investment Board at their May 2021 meeting with Executive signatures required in June 2021; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized, upon review and approval of the County Attorney's Office, to enter into the following contract:

<u>Youth</u>	
Out-of-School	\$84,593
In-School	\$21,150

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

**RESOLUTION 284-21: AUTHORIZATION TO UTILIZE SOCIAL MEDIA FOR THE WAYNE COUNTY VETERANS SERVICE AGENCY**

Mr. Verno presented the following:

WHEREAS, the Wayne County Veterans Service Agency wishes to utilize social media to increase community awareness of our programs and services as well as to serve as an additional portal for distribution of key messaging to further promote the mission of the Wayne County Veterans Service Agency and Wayne County as a whole; and

WHEREAS, the Employee Handbook on Information Security's policy on Acceptable Use of Social Media outlines the process for Wayne County departments to follow when creating social media accounts; and

WHEREAS, that the social media platforms to be used and security have been reviewed and approved by the County IT Director, who will also have access to and have the authority to shut down use of the social media site if determined to be appropriate; and

WHEREAS, the Wayne County Veterans Service Agency has submitted a social media Business Case Justification to the County Administrator and the County Attorney for approval to send on to the Human Services Committee as directed by the Acceptable Use of Social Media policy; and

WHEREAS, the Wayne County Veterans Service Agency has presented the Business Case Justification at the June 1, 2021 Human Services Committee meeting; now, therefore, be it

RESOLVED, that with the oversight of the County IT Director, the Wayne County Veterans Service Agency is hereby authorized to utilize social media in compliance with the Wayne County Employee Handbook on Information Security Guidelines.

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

**RESOLUTION 285-21: AUTHORIZATION TO SIGN AGREEMENT WITH THE TERRACE AT NEWARK**

Mr. Verno presented the following:

WHEREAS, an assisted living facility, The Terrace at Newark Assisted Living Community, opened in July 2009, and

WHEREAS, the facility accepts Medicaid-eligible, low-income residents, which is a significantly under-served population for these services; and

WHEREAS, New York State Department of Health requires that a contract be in place between the assisted living facility and Wayne County DSS as a condition of reimbursement, and

WHEREAS, the terms of the agreement, including rates to be reimbursed by New York State Department of Health are dictated by the State and are not subject to local option(s); therefore be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to sign an agreement with The Terrace at Newark Assisted Living Community, subject to the review of

the County Attorney, to allow reimbursement for services provided to Medicaid-eligible, low income residents of the facility for the period 7/1/21-6/30/24.

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

**RESOLUTION 286-21: AUTHORIZATION FOR THE MENTAL HEALTH DEPARTMENT TO RENEW ITS ANNUAL CONTRACT WITH WAYNE COUNTY ACTION PROGRAM**

Mrs. Jacobs presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2021 County budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Wayne County Action Program  
\$44,240 (State)

now therefore be it,

RESOLVED, that the Chairman of the Board is authorized to sign a renewal contract with Wayne County Action Program for the provision of mental hygiene services in Wayne County for the 2021 budget year 1/1/21-12/31/21, not to exceed the listed funding amount of \$44,240 in accordance with the 2021 State funding award amount, including any county funding as noted, and also any plus/minus adjusted amount based on any prior year state funding closeout reconciliations, or adjustments to the current year funding amount, and the contract being subject to the County Attorneys review as to form and content.

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

**RESOLUTION 287-21: AUTHORIZATION TO AMEND THE MENTAL HEALTH DEPARTMENT 2021 BUDGET FOR NEW YORK STATE FORENSIC HOSPITALIZATION COSTS**

Mrs. Jacobs presented the following:

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

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

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

WHEREAS, the County Cost per day for a forensic hospitalization generally runs in excess of \$1,000 per day, and the length of hospitalization stay is unpredictable, though in some cases could last as long as a year or more; and

WHEREAS, this year two Wayne County Jail inmates were admitted into state

forensic hospitalization institutions for restorative psychiatric care, and these inmates have been hospitalized for the past few months and likely will remain hospitalized and may remain so for the next several months in 2021; and

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

WHEREAS, that an the Director of Mental Health and the County Deputy Budget Director are desirous on increasing the 2020 Adopted appropriations by an additional \$200,000 to fund current hospitalizations costs and additionally anticipated costs through August 2021, and

WHEREAS, that the County Deputy Budget Director suggests transferring \$200,000 from the Unassigned General Fund Balance to fund the appropriation, now therefore be it

RESOLVED, that the County Treasurer is authorized to transfer \$200,000 from the Unassigned General Fund Balance, and further be it

RESOLVED, that the County Treasurer is authorized to make the following 2021 Budget amendment:

A4335 Forensic Hospitalization  
(Appropriations)  
\$200,000 to 54571 CPL Costs

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

**RESOLUTION 288-21: AUTHORIZATION TO WRITE OFF UNCOLLECTABLE ACCOUNTS FOR THE WAYNE COUNTY NURSING HOME**

Mrs. Jacobs presented the following:

WHEREAS, The Wayne County Nursing Home has an Allowance for Uncollectable Accounts; and

WHEREAS, after thorough review and collection efforts there is a remaining balance on twenty-five (25) accounts for the years end of 2017, 2018, 2019; and

WHEREAS, the uncollectable accounts in total were \$116,083.14 for year-end of 2017-2019;

\$ 885.00 for year end 2017  
\$ 25,115.57 for year end 2018  
\$ 90,082.57 for year end 2019

WHEREAS, The Wayne County Nursing Home has determined that the twenty-five (25) accounts with remaining balances are uncollectable from any payer source; now therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Wayne County Nursing Home to write off said twenty-five (25) accounts totaling \$116,083.14.

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

**RESOLUTION 289-21: AUTHORIZATION FOR WAYNE COUNTY NURSING HOME TO ENTER INTO A CONTRACT WITH VETERANS SERVICE ADMINISTRATION**

Mrs. Jacobs presented the following:

WHEREAS, the Veterans Service Administration contracts with the County of Wayne Home for nursing home care services for beneficiaries of the Veterans Service Administration; and

WHEREAS, the current contract expires July 31, 2021; and

WHEREAS, the Wayne County Nursing Home Administrator would like to renew the contract for the period of August 1, 2021 to July 31, 2026 at no cost to the nursing home; now therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute a Contract/Award for the Wayne County Nursing Home to provide nursing home services to beneficiaries of the Veterans Administration at a per diem fee to be negotiated by the Administrator for the period August 1, 2021 July 31, 2026, subject to the approval of the County Attorney as to form and content.

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

**RESOLUTION 290-21: AUTHORIZATION TO APPLY FOR EXTENSION OF NEW YORK STATE MASTER CONTRACT FOR GRANTS, CONTRACT #BOE01 - C004063-1110000 CONCERNING ELECTRONIC POLL BOOKS CAPITAL GRANT PROJECT IN WAYNE COUNTY**

Mr. Emmel presented the following:

WHEREAS, the County of Wayne Board of Elections has been notified that the Electronic Poll Books Capital Grant Project was re-appropriated in the State Fiscal Year 2021-22 budget; and,

WHEREAS, New York State has provided an appropriation to reimburse County Board of Elections for dollars spent to implement Electronic Polls Books Capital Grant Project from April 12, 2019 through the amended date of January 28, 2022; and,

WHEREAS, the Wayne County Board of Elections desires to use the grant appropriations to meet the requirements of Electronic Poll Books Capital Grant Project in Wayne County; now, therefore be it

RESOLVED, that the County Chair is hereby authorized to sign on behalf of the County of Wayne, the New York State Master Contract for Grant Extension #BOE01-C004063-1110000, subject to the County Attorney's approval of the Contract Grant.

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

**RESOLUTION 291-21: AUTHORIZATION TO APPLY FOR EXTENSION OF NEW YORK STATE MASTER CONTRACT FOR GRANTS, CONTRACT #BOE01 - C004124-1110000 CONCERNING EARLY VOTING AID TO LOCALITIES GRANT IN WAYNE COUNTY**

Mr. Emmel presented the following:

WHEREAS, the County of Wayne Board of Elections has been notified that the Early Voting Aid to Localities Grant Program was re-appropriated in the State Fiscal Year 2021-22 budget; and,

WHEREAS, New York State has provided an appropriation to reimburse County Board of Elections for dollars spent to implement Early Voting from April 12, 2019 through the amended date of January 28, 2022; and,

WHEREAS, the Wayne County Board of Elections desires to use the grant appropriations to meet the requirements of Early Voting in Wayne County; now, therefore be it

RESOLVED, that the County Chair is hereby authorized to sign on behalf of the County of Wayne, the New York State Master Contract for Grant Extension, #BOE01-C004124-1110000, subject to the County Attorney's approval of the Contract Grant.

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

**RESOLUTION 292-21: AUTHORIZE APPLICATION FOR NEW YORK STATE TOURISM MATCHING FUNDS**

Mr. Spickerman presented the following:

RESOLVED, that the Wayne County Office of Tourism and Promotion is hereby designated as the Tourist Promotion Agency for the County of Wayne ("County") for the purpose specified in the New York State Promotion Act: and be it further

RESOLVED, that the Director of Wayne County Office of Tourism and Promotion is hereby authorized to apply on behalf of the County for funding under the 2021 New York State Matching Grant Program for the County Tourism Project

County Share	\$ 95,000
State Share	\$ 95,000

RESOLVED, that Christine Worth, Project Director, is authorized to execute the grant application on behalf of the County.

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

**RESOLUTION 293-21: AUTHORIZING SUBMISSION OF CDBG APPLICATION FOR A COMPREHENSIVE HOUSING STUDY**

Mr. Spickerman presented the following:

WHEREAS Wayne County last completed a comprehensive housing affordability strategy in Fiscal Year 1995; and

WHEREAS, Population changes in the various towns and villages of Wayne County have shifted over the interceding 26 years, along with residential tastes and needs; and

WHEREAS, in 2021, Wayne County received a New York State Preservation Opportunity Program Enterprise Grant application to conduct an affordable rental housing-related strategic planning initiative, and

WHEREAS, The County needs to plan for the full needs and tastes of residents of varied income levels, ages and physical needs, and, be it

RESOLVED, that the Board of Supervisors hereby authorizes the submission of a 2021 Community Development Block Grant (CDBG) application requesting \$50,000 of grant funding to conduct an updated Comprehensive Housing Needs and Market Study; and be it further

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

RESOLVED, that the County allocate up to \$2,500 of funding as a cash match to this grant proposal; and be it further

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

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

**RESOLUTION 294-21: AUTHORIZING SUBMISSION OF LOCAL GOVERNMENT EFFICIENCY PROGRAM APPLICATION THROUGH THE ECONOMIC DEVELOPMENT AND PLANNING OFFICE**

Mr. Spickerman presented the following:

WHEREAS, a Geographic Information System (GIS) is a system of computer software, hardware, and data that is used to manage, manipulate, analyze and present data that is tied to a geographic location, and

WHEREAS, in 2007 Wayne County completed a GIS needs Assessment to evaluate the County's use of GIS and determine how it could be better utilized to inform and assist in county functions and assisting in data management, and

WHEREAS, the Needs Assessment identified that the County, its Departments, Towns, and Public Authorities would benefit from improved parcel data and conversion from a computer aided design parcel data system; and

WHEREAS, development and maintenance of an authoritative data service that is stable, up-to-date, and discoverable, can enable agencies to create synchronization of services, and

WHEREAS, similar projects have been completed in other counties in NYS and other states, costing approximately \$500,000, and

WHEREAS, New York State Department of State Local Government Efficiency Program provides funding for new actions to modernize the delivery of local services up to \$200,000 per local government and public authority involved, not to exceed \$1,000,000, with a required 10% local cash match, therefore be it

RESOLVED, that the Board of Supervisors hereby authorizes the submission of a 2021 Local Government Efficiency program application requesting \$500,000 of grant funding to develop a unified geospatial database for use by County, Public Authority, and participating towns; and be it further

RESOLVED, that the County allocates up to \$50,000 of funding as a cash match to this grant proposal; and be it further

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

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

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

**RESOLUTION 295-21: AUTHORIZING SUBMISSION OF REGIONAL ECONOMIC DEVELOPMENT COUNCIL (REDC) APPLICATION FOR GRANT FUNDING FROM EMPIRE STATE DEVELOPMENT PROGRAM**

Mr. Spickerman presented the following:

WHEREAS, Wayne County last completed a comprehensive an economic development strategy in Fiscal Year 2006 with analysis of Wayne County business parks, with significant market changes since then; and

WHEREAS, the Empire State Development Strategic Planning and Feasibility Study Program provides funding for studies, surveys or reports, feasibility studies, and preliminary planning studies to assess a particular sites, and

WHEREAS, a comprehensive business park strategy will provide economic development staff, local decision-makers, public and private financing options and regulatory levers to assess the needs to attract and retain new businesses in Wayne County; now, therefore, be it

RESOLVED, the Board of Supervisors authorizes the submission of a 2021 REDC application requesting \$30,000 in grant funding from Empire State Development Strategic Planning and Feasibility Studies; and be it further

RESOLVED, that the County will provide a \$30,000 as the \$50% required local match as a cash match to this grant proposal with total project costs of \$60,000; and be it further

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute any agreements or documents necessary to implement the resolution on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 296-21: ADOPTION OF LOCAL LAW PROVIDING FOR PARTICIPATION IN A PILOT YOUTH DEER HUNTING PROGRAM IN WAYNE COUNTY, CONSISTENT WITH THE PROVISIONS OF ENVIRONMENTAL CONSERVATION LAW SECTION 11-0935**

Mr. Spickerman presented the following:

WHEREAS, a proposed local law to Participate in a Pilot Youth Deer Hunting Program in Wayne County, Consistent with the Provisions of Environmental Conservation Law Section 11-0935 was presented to the Board of Supervisors on May 18, 2021; and

WHEREAS, a public hearing on the proposed local law was held on **Tuesday, June 15, 2021 at 9:05 am** in the Supervisor's Chambers in the County Court House, 26 Church Street, Lyons, New York, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

**COUNTY OF WAYNE - STATE OF NEW YORK  
LOCAL LAW NO. 2 FOR THE YEAR 2021**

A Local Law to Participate in a Pilot Youth Deer Hunting Program in Wayne County, Consistent with the Provisions of Environmental Conservation Law Section 11-0935

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

A Local Law to Participate in a Pilot Youth Deer Hunting Program in Wayne County, Consistent with the Provisions of Environmental Conservation Law Section 11-0935

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

**SECTION 1. LEGISLATIVE INTENT**

It is the intent of this local law to participate in a pilot youth deer hunting program in Wayne County consistent with the provisions of environmental conservation law section 11-0935

**SECTION 2. PURPOSE**

Consistent with the provisions of Environmental Conservation Law section 11-0935, this Local Law is adopted to authorize the expansion of youth hunting and allow licensed hunters ages 12 or 13 to hunt deer with a crossbow, rifle, shotgun or muzzle-loading firearm when accompanied by a parent, legal guardian, or mentor.

**SECTION 3. AUTHORITY**

This Local Law is adopted under the authority granted by:

1. Article IX of the New York State Constitution, § 2[c];
2. New York Municipal Home Rule Law, § 10; and
3. New York Environmental Conservation Law § 11-0935.

**SECTION 4. DEFINITIONS**

1. "Eligible area" means any county within the State of New York that has enacted a local law authorizing participation in a youth hunting pilot program, and has notified the New York State Department of Environmental Conservation of such participation.

2. "Hunting license holder" means a person who has successfully completed a hunter education/safety course, and currently holds a valid hunting license issued by the New York State Department of Environmental Conservation.
3. "Legal guardian" means a person legally responsible for a minor participating in the Pilot Youth Deer Hunting Program who currently holds a valid hunting license issued by the New York State Department of Environmental Conservation and has at least three years of prior experience hunting deer as a hunting license holder.
4. "Mentor" means a person who (a) currently holds a valid hunting license issued by the New York State Department of Environmental Conservation, (b) is twenty-one years of age or older, (c) has at least three years of prior experience hunting deer as a hunting license holder, and (d) has been designated in writing by a minor's parent or legal guardian on a form prescribed by the New York State Department of Environmental Conservation to serve as a mentor to said minor for purposes of the Pilot Youth Deer Hunting Program.
5. "Minor" means a youth twelve or thirteen years of age who currently holds a valid hunting license issued by the New York State Department of Environmental Conservation to hunt deer with a crossbow, rifle, shotgun, or muzzle-loading firearm within an eligible area.
6. "Parent" means a person who currently holds a valid hunting license issued by the New York State Department of Environmental Conservation, has at least three years of prior experience hunting deer as a hunting license holder, and is the parent of the minor participating in the Pilot Youth Deer Hunting Program.
7. "Physical control" means that the physical proximity of a minor to a parent, legal guardian or mentor and is such that the parent, legal guardian or mentor is (a) reasonably able to issue verbal directions and instructions, (b) maintain constant visual contact, and (c) otherwise able to provide guidance and supervision to the minor.

#### **SECTION 5. OPT-IN AUTHORIZATION**

The youth hunting opportunities authorized by Environmental Conservation Law section 11-0935 shall be applicable within the boundaries of the County of Wayne upon (a) the adoption of this Local Law by the Board of Supervisors for the County of Wayne, State of New York, and (b) notice provided to the New York State Department of Environmental Conservation of the adoption of this Local Law.

Wayne County hereby elects to participate in a Pilot Youth Deer Hunting Program to allow minors ages 12 or 13 to hunt deer with a crossbow, rifle, shotgun or muzzle-loading firearm when accompanied by a parent, legal guardian or mentor.

#### **SECTION 6. ELIGIBILITY AND REQUIREMENTS.**

1. A minor aged 12 or 13 may hunt deer with a crossbow, rifle, shotgun, or muzzle-loading firearm within the County of Wayne when accompanied by, and is under the physical control of, a parent, legal guardian or mentor as those terms are defined by Section 4 of this Local Law.
2. A minor participating in the Pilot Youth Deer Hunting Program in an eligible area must be in possession of a valid New York State hunting license and valid tags, as appropriate, while afield at all times. The accompanying parent, legal guardian or mentor must also be in possession of a valid New York State hunting license at all times when supervising a minor participating in the Pilot Youth Deer Hunting Program.
3. A minor and the accompanying parent, legal guardian or mentor must display either a minimum total of two hundred fifty square inches of solid fluorescent orange or pink or patterned fluorescent orange or pink consisting of no less than fifty percent fluorescent orange or pink material worn above the waist and visible from all directions, or a hat or cap with no less than fifty percent of the exterior consisting of solid fluorescent orange or pink material and visible from all directions.
4. A minor aged 12 or 13 participating in the Pilot Youth Deer Hunting Program must remain at ground level at all times when hunting deer with a crossbow, rifle, shotgun, or muzzle-loading firearm.

5. A minor participating in the Pilot Youth Deer Hunting Program must remain within the physical proximity of a parent, legal guardian or mentor, which means they must be capable of receiving verbal directions and instructions, and be in constant visual contact with the supervising parent, legal guardian or mentor at all times.
6. A minor participating in the Pilot Youth Deer Hunting Program must abide by all other federal, state and local laws, rules and regulations applicable to hunting including, but not limited to, manner of take, bag limits, hunting hours, geographical or general implement restrictions, hunting seasons, tagging, transporting and reporting requirements.

**SECTION 7. FILING**

In accordance with ECL § 11-0935.2, a copy of this Local Law shall be filed with the New York State Department of Environmental Conservation, and in accordance with Municipal Home Rule § 27, a copy shall be filed with the New York State Department of State.

**SECTION 8. SEVERABILITY**

Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so determined to be unconstitutional or invalid.

**SECTION 9. REPEAL**

All Ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

**SECTION 10. EFFECTIVE DATE**

This Local Law shall be effective upon its filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

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

**RESOLUTION 297-21: AUTHORIZATION TO AWARD CONTRACT FOR REPLACEMENT OF CABLE RAILING SYSTEM AT 16 WILLIAM STREET**

Mr. Chatfield presented the following:

WHEREAS, the cable railing system on the ADA access ramp at 16 William Street was damaged by a car accident in January; and

WHEREAS, the Deputy Superintendent of Public Work has contacted three vendors for proposals to repair the damaged railing; and

WHEREAS, the following proposals were received:

Bereza Iron Works, Inc	\$ 13,500.00
Ramar Steel Sales, Inc	\$ 11,724.00
Alpha Iron Works, Inc	No Proposal / Unable to match design

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 Ramar Steel Sales, Inc for the replacement of the cable railing system at 16 William Street for a cost of \$11,724.00.

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

**RESOLUTION 298-21: AUTHORIZATION TO TRANSFER TITLE OF THE ERIE CANAL CULTURAL CENTER (ECCC) TO VETERANS ON THE ERIE, INC.**

Mr. Chatfield presented the following:

WHEREAS, the County no longer has a use for the ECCC building and property located at 165 Water Street in the Town of Lyons; and

WHEREAS, a Public Hearing was held on July 16, 2019 at 9:10 a.m. pursuant to resolution #350-19 duly enacted on June 18, 2019 to allow citizens to comment on the possible change in current use; and

WHEREAS, a local not-for-profit group has an interest in the building/property for a use that will conform with the current cultural easements that have been placed on the property by the State of New York; now therefore be it

RESOLVED, that the County of Wayne is hereby authorized to transfer title to the Erie Canal Cultural Center to Veterans on the Erie, Inc. for One and /100 dollars (\$1.00); and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute the necessary legal documents to transfer title of said property, subject to the County Attorney's approval as to form and content, upon receipt of New York State approval of the proposed transfer of title.

Mr. Groat moved the adoption of the resolution. Seconded by Mrs., Leonard. Upon roll call all supervisors voted aye except for Chairman Miller who abstained.

**RESOLUTION 299-21: AUTHORIZATION TO CREATE PROJECTS IN THE HIGHWAY DEPARTMENT**

Mr. Chatfield presented the following:

WHEREAS, in accordance with Section 115 of the Highway Law, the Superintendent of Public Works has prepared Project Statements for the proposed work for the following projects:

21-45	North Lincoln Road Recycle Project	\$350,000
21-46	Stoney Lonesome Road Project	\$ 80,000
21-47	South Lincoln Rd Paving Project	\$225,000
21-48	North Lincoln Rd Paving Project	\$350,000

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

21-31	Sodus Center & Maple Ave Surface Treating Project	\$320,000
21-34	Ridge Rd Drainage Ontario Hamlet Project	\$325,000
21-40	Lincoln Rd Recycle Project	\$200,000

now, therefore, be it

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

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

**D5112 Road Construction**

(Appropriations)

\$1,850,000 from .52600 Highway Construction to the following Chips Projects:

\$350,000 to .52664 21-45 North Lincoln Road Recycle Project  
\$ 80,000 to .52664 21-46 Stoney Lonesome Rd Project

\$225,000 to .52664 21-47 South Lincoln Rd Paving Project  
\$350,000 to .52664 21-48 North Lincoln Rd Paving Project  
\$320,000 to .52664 21-31 Sodus Center & Maple Ave Surface Treating Project  
\$325,000 to .52664 21-34 Ridge Road Drainage Ontario Hamlet Project  
\$200,000 to .52664 21-40 Lincoln Rd Recycle Project

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

**RESOLUTION 300-21: AUTHORIZATION TO SET FEE SCHEDULE FOR HIGHWAY WORK PERMITS**

Mr. Chatfield presented the following:

WHEREAS, THE Highway Superintendent is authorized to assess fees for the issuance of permits or the performance of work on County Highways, and

WHEREAS, the following is a list of permits/work tasks and the associated fees for such permit/work:

Driveway Culvert Installation	\$400/20' pipe
Yard Pipe Installation	\$200/20' pipe
Subdivision Street Entrance	\$250
Gas Main/Duct/Buried Cable Installation	\$100
Open Cut Roadway	\$100
Divisible Load Permit	\$10
Annual Hauling Permit (Blanket)	\$200
Hauling Permit (Individual – one trip)	\$50
Super/Divisible Load Permit (over 160,000 lbs.)	\$300

Now, therefore be it

RESOLVED, that the Board of Supervisors hereby adopts the fee schedule listed above for work on County Highways.

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

**RESOLUTION 301-21: AUTHORIZATION TO EXTEND LEASE AGREEMENT WITH WAYNE COUNTY ACTION PROGRAM FOR PROPERTIES IN THE TOWN OF SODUS, TOWN OF HURON AND THE TOWN OF LYONS**

Mr. Chatfield presented the following:

WHEREAS, Wayne County Action Program hereinafter "Wayne CAP" is currently a tenant in the following County owned properties:

- 159 Montezuma Street, Lyons, New York;
- 11395 Ridge Road, Huron, New York;
- 7192 Ridge Road East, Sodus, New York; and

WHEREAS, the prior leases between Wayne CAP and the County regarding these premises will expire on June 30, 2021; and

WHEREAS, the County and Wayne CAP are reviewing the terms of the current lease

agreement: and

WHEREAS, since additional time is needed to make possible changes to the lease agreement, the County feels it to be advantageous to extend the existing lease up to six (6) additional months so that further review can be done on the new long term lease agreement with Wayne CAP; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to extend the terms of the current lease on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Wayne CAP for the above mentioned properties for an additional 6 months.

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

**RESOLUTION 302-21: AUTHORIZATION TO SIGN AGREEMENTS WITH DG NEW YORK CS, LLC AND AMPION RENEWABLE ENERGY FOR THE PURCHASE OF SOLAR ENERGY CREDITS**

Mr. Chatfield presented the following:

WHEREAS, Through a New York Public Service Commission's Community Distributed Generation Program, Wayne County is eligible to purchase solar energy credits; and

WHEREAS, Renewable Access LLC has reviewed the County facilities energy usage and has identified 28 locations that qualify for this program through two separate energy credit agreements; and

WHEREAS, Renewable Access LLC has projected an annual saving to the County of \$47,307 on its future electrical bill; and

WHEREAS, the Nursing Home qualifies for the DG New York CS, LLC program and is initially a five (5) year term that automatically renews for two (2) additional years up to its fifth renewal anniversary, and

WHEREAS, All other qualifying County facilities would fall under the Ampion Renewable Energy program that is initially is a ten (10) year term that will automatically renew for five (5) additional years unless terminated prior by either party; and

WHEREAS, there is no direct cost to the County to participate in said programs; and WHEREAS, it is anticipated the energy credits will be available to the County by the end of 2021; and

WHEREAS, RGE & NYSEG are moving forward with "Net Saving" model that allows for the energy credit to be applied directly on utility company bill, eliminating separate billing for credits and simplifies the accounting process for tracking these credits; and

WHEREAS, the County Attorney's office has reviewed the agreements and has approved the contract language; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute agreements on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with DG New York CS, LLC and Ampion Renewable Energy for the purchase of solar energy credits

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

**RESOLUTION 303-21: AUTHORIZATION TO DECLARE VEHICLES SURPLUS IN THE PUBLIC WORKS DEPARTMENT**

Mr. Chatfield presented the following:

WHEREAS, the vehicles/items listed below that should be disposed of as noted:

2014 Ford Taurus (SO)	1FAHP2MT4EG107376	Auction
2008 Ford F450 Dump (HWY)	1FDXW46R98EE22210	Auction
2013 Wacker tamper	WP1550AW	Auction

now, therefore be it

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

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

**RESOLUTION NO. 304-21: AUTHORIZATION TO ACCEPT NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES GRANT, CONTRACT FOR THIRD COUNSEL AT FIRST APPEARANCE (CAFA3), CONTRACT NUMBER CAFA354, AND AMEND 2021 BUDGET**

Mr. Eygnor presented the following:

WHEREAS, New York State Office of Indigent Legal Services had advised the Wayne County Public Defender of the availability of a competitive grant for the purpose of providing counsel at first appearance in justice courts; and

WHEREAS, the Public Defender's Office applied for aforesaid competitive grant and has received notification the sum of \$317,250 has been awarded; and

WHEREAS, the term of said grant is for three years, January 1, 2020 through December 31, 2022, beginning immediately; and

WHEREAS, the grant will fund Interpreter Services (Language Line), on an as-needed basis during counsel at first appearances in justice courts and at the Centralized Arraignment Part (CAP); and

WHEREAS, the grant will fund contract lawyer fees for services funding the Centralized Arraignment Program (CAP) stipends paid to various attorneys providing counsel at CAP arraignments; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to accept said grant for a three year term from January 1, 2020 through December 31, 2022, and to sign the required contract, subject to the review and approval by the Wayne County Attorney as to subject and content; and be it further

RESOLVED, that the Wayne County Public Defender is authorized to pay contract attorneys for services rendered at first appearances (CAP) from this grant; and be it further

RESOLVED, that the Wayne County Public Defender is authorized to pay language interpreters (Language Line) for services rendered during counsel at first appearance in justice court from said grant; and be it further

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

**A1170 PUBLIC DEFENDER**

Amount	Object #	Project ID	Object Name	Description
(Revenue)				
\$ 105,750 to 43024		CAFA3	Indigent Legal Services	Counsel at First Appearance
(Appropriations)				
\$105,500 to 54400		CAFA3	Contracted Services	Attorney Arraignment Stipends
\$250 to 54500		CAFA3	Fees for Services	Interpreter Services

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

**RESOLUTION 305-21: AUTHORIZATION TO ACCEPT NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES GRANT, DISTRIBUTION #11, NYS CONTRACT NUMBER C110054 FOR THE WAYNE COUNTY PUBLIC DEFENDER**

Mr Eygnor presented the following:

WHEREAS, New York State Office of Indigent Legal Services has advised the

Wayne County Public Defender and the Wayne County Administrator of the availability of a non-competitive grant in the amount of \$495,423.00 for Indigent Legal Services; and

WHEREAS, Wayne County has received notification that the distribution in the amount of \$495,423.00 has been awarded under Contract Number C110054; and

WHEREAS, the term of said Contract Number C110054 is January 1, 2021 through December 31, 2023; and

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

- To continue 50% funding of the salary and benefits of a full-time Assistant Public Defender, in continuation of the prior funding received for said position by virtue of I.L.S. Distributions #8, (ILS18) Contract Number C800054; and

- To provide funding assistance for Legal Assistance of Western NY, Inc. – LawNY, with funding for personnel: A part-time paralegal and full-time litigation paralegal, in addition to funding for Family Court attorneys and for matrimonial custody cases;

now therefore, be it

RESOLVED, that the County Administrator is authorized to accept New York State Indigent Legal Services Contract C110054 for a three year term from January 1, 2021 through December 31, 2023, and the Chairman of the Wayne County Board of Supervisors is authorized to sign the required contract, subject to the review and approval by the Wayne County Attorney as to content and form of said contract, and it is further

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

**A1170 PUBLIC DEFENDER**

(Revenue)

\$33,000 to 443024-ILS21 Indigent Legal Services Fund Indigent Legal Services 2021

(Appropriations)

\$33,000 to 57121-ILS21 2<sup>nd</sup> Assistant Indigent Legal Services 2021

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

**RESOLUTION 306.21: AUTHORIZATION TO CREATE AND FILL A GRADE 8 FULL TIME ASSISTANT PUBLIC DEFENDER AND AMEND THE 2021 COUNTY BUDGET**

Mr. Eygnor presented the following:

WHEREAS, An additional Grade 8 full time Assistant Public Defender position is required as part of the Office of Indigent Legal Services staffing mandates; and

WHEREAS, such attorney position will be fully funded, both salary and fringe costs, by the pending Year 3 Hurrell Haring funding plan; and

WHEREAS, the Year 3 Hurrell Haring plan is expected to be finalized in July 2021;

and

WHEREAS, the Public Defender is seeking a candidate for such position who has significant experience representing clients charged with felony level offenses and taking those cases to trial, such experience being a significant need currently in the Public Defender office; and

WHEREAS, the request to hire a Grade 8 attorney at a salary commensurate with such experience has been submitted to the Salary Committee, and has been approved at a salary up to \$84,569 if such candidate is obtained, now therefore be it

RESOLVED, a full time Grade 8 attorney position is hereby created in the Public Defender Office; and it is further

RESOLVED that the Public Defender has authority to fill this position at a salary of up

to \$84,569; and it is further

RESOLVED, that the Wayne County Treasurer is authorized to amend the 2021 Budget as follows;

A1170 Public Defender

(Revenues)

\$62,348 to 43024-ILSHH Indigent Legal Services Fund Indigent Legal Ser Hurrell-Harring  
(Appropriations)

\$42,285 to 51045-ILSHH Assistant Public Defender 2<sup>nd</sup> FT Indigent Legal Ser Hurrell-Harring

\$5,666 to 58100-ILSHH Retirement Indigent Legal Ser Hurrell-Harring

\$3,235 to 58200-ILSHH Social Security Indigent Legal Ser Hurrell-Harring

\$11,162 to 58400-ILSHH Hospitalization Indigent Legal Ser Hurrell-Harring

and be it further

RESOLVED, that in the event that the State funding for this position was to become unavailable, that the Public Defender's Office will abolish this position.

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

**RESOLUTION 307-21: AUTHORIZATION TO ABOLISH AN IT SUPPORT SPECIALIST POSITION AND CREATE A COMPUTER SERVICES ASSISTANT POSITION IN THE INFORMATION TECHNOLOGY DEPARTMENT**

Ms. Leonard presented the following:

WHEREAS, there is a current vacant IT Support Specialist position within the Information Technology Department with a budgeted salary of \$49,302; and

WHEREAS, the Director of IT believes that it is important to maintain the current level of support to the mandated service functions of the county as well as the county as a whole; and,

WHEREAS, the position of Computer Services Assistant gives more flexibility of duties to provide coverage to the ever-changing IT landscape; and

WHEREAS, both job titles are in Grade 29 of the CSEA General Unit; and,

WHEREAS, the Computer Services Assistant 2021 hire rate salary is \$43,538; now, therefore, be it

RESOLVED, the position of IT Support Specialist be abolished 7/1/2021; and be it further

RESOLVED, that the full time position of Computer Services Assistant (Grade 29 of the CSEA General Unit) is created and authorized to be filled as of July 9, 2021.

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

**RESOLUTION 308-21: AUTHORIZE THE ADOPTION OF THE REVISED WAYNE COUNTY PURCHASING POLICY EFFECTIVE 7/1/2021 AND RESCINDING RESOLUTION NO. 522-20**

Ms. Leonard presented the following:

WHEREAS, the Board of Supervisors adopted a County Purchasing Policy and Procedure manual with resolution 522-20; and

WHEREAS, the Purchasing Agent along with the County Administrator, County Auditor, and County Attorney have reviewed the policy and have recommended changes to the policy to be effective July 1<sup>st</sup>, 2021; now therefore be it

RESOLVED, that the Board of Supervisors rescinds Resolution Nos. 129-21 and 522-20 and adopts the following purchasing policy effective July 1<sup>st</sup>, 2021.

**DEFINITIONS**

**Best Value.** The basis for awarding contracts for services to the offeror which optimizes quality, cost and efficiency, among responsive and responsible offerors. Such basis shall reflect wherever possible, objective and quantifiable analysis.

**Bidding.** A public competitive process for choosing a vendor from which to purchase materials, supplies and services.

**Change Orders.** Work that is added to or deleted from the original scope of work of a contract, which alters the original contract amount and/or completion date. Change orders must be approved by the Board of Supervisors unless otherwise specifically delineated by a resolution. Change orders for capital projects must follow these same procedures, unless delineated by a resolution.

**Collusion.** Actions, contrary to law, of two or more persons to determine in advance the winning bidder or proposer of a contract let, or to be let, for competitive bidding or proposals by the County or any other such acts prohibited by law.

**Commodity.** Goods that include but not limited to materials, equipment and supply items

**Equipment.** Any item which has a purchase price of \$ \$2,500 (Resolution No. 011-21) or more, and which has a useful life of more than 1 (one) year. These items are include in the Equipment Addendum as a .2 expenditure.

**General Municipal Law.** A state law governing bidding procedures for municipalities such as the County.

**Practicable.** Means sufficient performance and not unreasonably expensive.

**Professional Services.** Services that involve specialized expertise, use of professional judgment, and/or a high degree of creativity. They are not purchase contracts or contracts for public work.

Professional or technical services shall include but not be limited to the following:

- |                              |  |
|------------------------------|--|
| Accounting (CPA)             | Investment Management Services           |
| Advertising Agency Promotion | Laboratory Testing                       |
| Architectural                | Legal                                    |
| Computer Customized Software | Management of Municipally Owned Property |
| Programming Services         | Medical/Dental Services                  |
| Consultants                  | Public Relations                         |
| Design Services              | Records Indexing                         |

Engineering	Writing, Editing or Artwork
Instructors/Teachers/Training	Investment Management Services
Insurance Carriers and/or Insurance Broker	DSS Legal Counsel (if privately contracted)

**Public Works Contract.** Includes, but is not limited to, contracts for material and work on roads, highways, buildings, structures and improvements of all types, the construction, reconstruction, major renovation or painting of which is performed or contracted for by the County to serve the public interest.

**Purchase Contract.** The purchase, lease, rental or other acquisition by a County department of personal property and services, including ordinary repair or maintenance, in support of the departments' day-to-day activities and service provision.

**Purchase Order.** Document used by the Purchasing Department to purchase a product or service from an external vendor.

**Purchase Requisition.** The form used by departments that documents the requirements and is sent to the Purchasing Department for review and authorization prior to making the purchase.

**Quote.** Documentation from a vendor, preferably written, stating items, source, quantity, price, discounts, shipping, delivery time and contact information. When doing so a standard "spec form" should be used to collect quotes.

**Request for Quotations (RFQ).** A competitive process for choosing an individual or firm with which to contract for products or services. This process requires a standardized "spec sheet" to collect quotes from prospective vendors.

**Request for Proposals (RFP).** A competitive process for choosing an individual or firm with which to contract for services. The contract is awarded based on factors such as cost, qualifications, experience, and demonstrated ability, and not necessarily to the proposer with the lowest price. Not to be confused with bidding.

**Specifications.** Shall mean a written description of needed commodities and/or services setting forth in a clear concise manner; this should include the performance and/or physical characteristics of the commodities and/or services to be purchased, and the circumstances under which the purchase shall be made

## **MISSION STATEMENT OF THE PURCHASING POLICY**

The County of Wayne shall purchase materials, supplies, equipment and services as needed, at the best possible prices and value, and maintain appropriate documentation in a manner in accordance with County Law and General Municipal Law. The Wayne County Purchasing Department dedicates itself to procuring goods and services for the various county departments in a timely manner assuring the prudent and economical use of public monies in the best interest of the taxpayers of Wayne County. It will facilitate the acquisition of goods and services at the best value and guard against favoritism, extravagance and fraud. The county shall, at its option, establish purchasing regulations that do not conflict with County Law and General Municipal Law.

The responsibility and authority for acquiring goods and/or services and other related tasks has been delegated to the Purchasing Agent, Purchasing Clerks, Department Heads and Account Clerks.

## **AUTHORITIES**

**Wayne County Board of Supervisors** – The Board of Supervisors has approval authority, by majority vote, with contracts over \$5,000, and over budget actions necessary to begin the purchasing process for materials, supplies, equipment and services. The Chairman must sign off on all contracts.

**Finance Committee** - In consultation with the County Administrator, Committee Chairperson and Purchasing Agent, the committee recommends, by majority vote, purchasing policies and amendments to the Board of Supervisors. In addition, reviews all contracts before being present to the full Board of Supervisors.

**County Attorney** - The County Attorney has contract review authority on everything.

**County Purchasing Agent** - The Purchasing Agent shall be responsible for developing and administering a modified central purchasing system to make provisions for all purchases, servicing, sale, lease, and rental, of materials, supplies, equipment and services for all departments and agencies of County government pursuant to and in compliance with the applicable provisions of laws and regulations and County policy. The Purchasing Agent has signatory authority on all purchase requisitions and purchase orders. The Purchasing Agent reviews the procurement activities of all County departments, as necessary, to ensure compliance with General Municipal Law and County policy, and may require written explanations and documentation from departments when purchasing policies are not followed, and may withhold authorization until such documentation is received. The Purchasing Agent, in consultation with the County Attorney and Department Heads, determines if a transaction is a purchase contract, public work contract, or professional service. The Purchasing Agent, Clerk of the Board or designee shall conduct all bid solicitations and openings and secure the recommendations for awarding contracts from the appropriate official(s).

## **LIMITS AND CONTROLS**

### **REGULATION**

1. Authorization limits and controls shall conform to General Municipal Law Section 103. The County may establish additional authorization limits and controls that do not conflict with General Municipal Law Section 103 and 104b.

#### **PROCEDURE**

1. The authorized limits for purchasing transactions shall be reviewed annually by the County Purchasing Agent and, if necessary, adjusted by the Finance Committee, to more accurately reflect the market pricing, inflation, processing expenses, and the County's utilization experience.
2. Prior to submitting a purchase requisition to the Purchasing Department, County staff are to refer to and follow:
  - a. Schedule A: Authorization Levels & Procedures: Purchase of Materials, Supplies and Equipment & Public Works Contracts, and
  - b. Schedule B: Authorization Levels & Procedures: Professional Services.

#### **PURCHASING REGULATIONS**

1. The Purchasing Agent shall authorize and administer all purchase orders for the County for the acquisition of materials, supplies, equipment and services over \$5,000 in accordance with established procedures. The procedures contained herein are applicable for purchases which are anticipated to exceed five thousand dollars (\$5,000) for like/similar items or services in a calendar year throughout all County departments.
2. The County shall purchase materials, supplies, equipment and services as required, at the best possible prices, and maintain and attach appropriate documentation above \$5,000. Depending on the type and amount of the purchase, purchases will be secured by use of written requests for proposals, requests for quotes, competitive public bids, to ensure that goods will be purchased for the best interest of Wayne County, and that favoritism will be avoided.
3. Purchases shall be made to the extent practicable, through available state contracts of the Office of General Services, Division of Standards and Purchase, Department of Correctional Services, New York State Industries for the Disabled, Industries for the Blind of New York State, surplus and second-hand purchases from another governmental entity, and competitive purchase contracts from contiguous counties and municipal cooperatives, whenever such purchases are in the best interest of the County.
4. Opportunity shall be provided to all responsible vendors to do business with the County. To this end, the Purchasing Agent shall develop and maintain lists of potential vendors for various types of materials, supplies, equipment and services. Such lists shall be used to develop mailing lists of potential suppliers and for distribution of specifications, invitations to bid, RFPs and RFQs. Any supplier may be included in the list upon request. Exceptions include vendors named ineligible by the NY State Office of General

Services, or those who's past business practices have disqualified them from doing business with the County.

5. When soliciting bids and proposals, a statement of "General Conditions Agreement" shall be included with all specifications submitted to suppliers. These general conditions shall be incorporated in all contracts awarded for the purchase of materials, supplies, equipment and services.
6. No official or employee of the County shall have financial interests in any purchase or contract secured by the County, without disclosure to and authorization from the originating department's standing committee. No official or employee of the County shall participate in collusive activity. This precludes:
  - a. acceptance of gratuities, financial or otherwise, by the above persons, from any supplier of materials, supplies, equipment or services to the County; and/or
  - b. the sharing of bids, RFPs, or specifications with potential bidders prior to the competitive process,
  - c. assisting a supplier or firm to win a contract award prior to or during the competitive process, and/or
  - d. all other activities prohibited by federal, state, or local law.
7. The County Purchasing Agent in conjunction with the County Auditor developed the following procedures upon receipt of any inquiry or allegation in violation of this policy:
  - 1st inquiry/allegation – review of purchasing policy with alleged violator
  - 2nd inquiry/allegation – internal audit of violator's purchasing practices for prior 6 months and required corrective action plan for any findings
  - 3rd inquiry/allegation and all future inquiry/allegation's - referred to County administrator to address
8. Wayne County shall not pay for materials, supplies, equipment and services in advance except for the following exceptions; all postage expenses, membership and conference fees, PO Box subscriptions at the United States Post Office, newspaper subscriptions, and rental agreements for a space or building.
  - In addition, support and maintenance for software and hardware, software licensing, IT related hardware maintenance, and warranties may be considered exceptions. Prior approval of the County Attorney, County Auditor, and County Purchasing Agent is required to ensure the purchase meets the criteria of this policy and the pre-payment exception applies before a department can make such payments and engage the service.
9. All purchases from the equipment addendum should be purchased within the first 6 months of the fiscal year, unless otherwise documented with an explanation. **A Requisition is still required for all equipment purchases with the required documentation.**
10. All office supplies should be purchased through Staples or Amazon Business; in addition all toner should be ordered at the direction of the Wayne County IT Department.
11. Only one contract may be applied to a quote and/or invoice at a time; if more than one contract is being used they **MUST** be invoiced separately. In addition, the quote and/or invoice **MUST** include the contract number being used. Also, if an item is not on a contract that too must also be invoiced separately.
12. Purchases may be made online. All purchases made through online vendors must accept

payment after delivery of the product, materials, equipment or service. Payment to an online vendor will not be made in advance of delivery, and will be made upon receipt of an invoice.

13. All IT related equipment purchases and IT related projects must have prior approval of the Wayne County IT Director.
14. If deemed necessary and appropriate, a Department may request authorization from the County Fiscal Assistant, County Administrator and County Treasurer to transfer funds within their approved budget from account to account (ex: .4 expenditure to .2 expenditure, or vice versa), without a Board Resolution, so long as the amount does not exceed \$5,000. Authorization will be approved or denied at the discretion of the three County Officers named above.

#### **Best Value (Resolution 301-14)**

General Municipal Law §103 now provides local governments greater flexibility in awarding contracts by authorizing the award of purchase contracts, including contracts for service work on the basis of best value. With the increased complexity of the goods and services that the County must obtain in order to serve taxpayers, it is critical to consider selection and evaluation criteria that measure factors other than cost in the strictest sense. Best value procurement links the procurement process directly to the County's performance requirements, including, but not limited to, selection factors such as useful life span, quality and options and incentives for more timely performance and/or additional services. Best value procurement can provide much needed flexibility in obtaining important goods and services at favorable prices, and can reduce the time to procure such goods and services.

"Best value" means the basis for awarding contracts for services to the offeror which optimizes quality, cost and efficiency, among responsive and responsible offerors. Such basis shall reflect, whenever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor of offerors that are small businesses or certified minority or women-owned business enterprises as defined in subdivision one, seven, fifteen and twenty of section three hundred ten of the Executive Law to be used in evaluation of offers for awarding of contracts for services.

#### **Requirements:**

- A. Where the basis for award is the best value offer, the Purchasing Agent or Department Head shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection be conducted.
- B. The solicitation shall prescribe the minimum specifications or requirements that must be met in order to be considered responsive and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the County in its determination of best value.

#### **PURCHASING PROCEDURES**

1. **Determining and Documenting Type.** Every **aggregate total** purchase over five thousand dollars (\$5,000); must have a completed requisition which will be reviewed

by the Purchasing Agent to determine whether it is a purchase contract, a public works contract, or a professional service. A good faith effort will be made to determine if the aggregate amount to be spent on the item of supply or service throughout the county requires quotes, competitive bidding or a request for proposal, taking into account the aggregate amount to be spent in past years.

- A. An opinion that a purchase is not subject to the county's purchasing policy will need a resolution adopted by the Board of Supervisors, explaining why, unless the purchase is listed as an exemption; the resolution should then be attached as backup to the requisition before sending to the Purchasing Agent. The Purchasing Agent must sign off on the resolution transmittal concurring with or overriding the department's opinion. The Purchasing Agent may request documentation, this documentation may include written quotes from vendors, a memo from the purchaser indicating how the opinion was arrived at, a copy of the contract indicating the source which makes the item or service exempt, documentation from the Chairman and/or County Administrator declaring an emergency, or any other written documentation that is appropriate.
  - B. If the purchase is subject to competitive bidding or is a professional service, the department shall complete and submit a Purchase Requisition and refer to Schedule A and Schedule B of this policy for procurement procedures.
2. **Purchase Requisition.** Purchase Requisitions are required for all purchase orders, they must be completed with the required documentation by the department requesting the product or service and forwarded to the Purchasing Department before a purchase order can be issued. Departments shall complete a Purchase Requisition specifying the services, and/or item(s) requested in as much detail as possible. Details concerning quality and grade, specifications, including samples from vendor catalogs, should be attached, as well as any required quotes, contract numbers (if piggybacking), resolutions and bid documents. All proper documentation must be attached for the requisition to be approved and converted.
  3. **Authorization.** The Purchasing Agent ensures compliance with the authorization limits and controls outlined in "Schedule A: Authorization Levels & Procedures: Purchase of Materials, Supplies and Equipment & Public Works Contracts," and "Schedule B: Authorization Levels & Procedures: Professional Services."
  4. **Confirmation/Inspection.** Upon receipt of goods or completion of services, the department shall conduct a visual inspection and cross check against the specifications as negotiated and agreed upon through the purchasing process. Should goods be received which were not ordered, or are damaged, or services do not meet the terms of the Purchase Order or Contract, DO NOT SIGN OFF ON ANY PAPERWORK - contact the Purchasing Department. Failure to complete and document inspection may result in delay of payment.
  5. **Payment.** The Department submits the original invoice to Audit with the appropriate Purchase Order or Contract number. The ordering department is

responsible for ensuring the vendor does not charge sales tax.

## **COMPETITIVE BIDDING**

### **REGULATIONS**

1. Purchase contracts for materials, supplies and equipment involving an estimated County expenditure in excess of \$20,000, and Public Works contracts in excess of \$35,000 within a calendar year, shall be awarded only after public advertising soliciting formal bids pursuant to Section 103 of the General Municipal Law.
2. The Purchasing Agent or designee shall be responsible for all required public advertising and competitive bidding, shall conduct all bid solicitations and openings, and shall provide recommendations for awarding contracts.
3. County officials and employees are prohibited from engaging in collusive activities with potential vendors. In cases where information is needed from an industry source to help prepare specifications, the requisitioner should consult with the Purchasing Agent before contacting a potential vendor.
4. Bids will be awarded to the lowest responsible, responsive bidder or upon determination of best value, depending on which criteria is in the bid specifications before public advertising requesting submission of sealed bids.
5. If there is a tie between the lowest bidders based on price, a business that has its primary operations based in Wayne County would be selected. If both or neither have operations based in Wayne County a coin toss will be done to determine who is the awarded bidder is.
6. **Prevailing Wage:** The term Public Works Contract applies to those items or projects involving labor or both materials and labor. Under Article 8 of the New York State Labor Law, Prevailing Wage Rates apply when a laborer, workman or mechanic is employed. There is no minimum dollar amount.
  - All vendors must be provided with the New York State Department of Labor PRC number assigned to each individual project so that appropriate labor rates are included in their quotes/bids.
  - On occasion, the New York State Department of Labor, Bureau of Public Works, upon receiving complaints for non-payment of prevailing wages shall direct the County to withhold payment to a vendor. The original notice is forwarded to the County Attorney a copy is then sent to the Superintendent of Public Works, County Auditor, Purchasing Agent, and Treasurer's office.
  - Contractors and the applicable County Departments must check the prevailing wage schedules for each project on the first working day of the month. The Department of Labor posts corrections to each schedule (when applicable), and both parties must be informed of all updates to ensure proper payment to the Contractor's employees, and the for the purpose of checking certified payrolls.
  - New York State Office of General Services obtains a prevailing wage schedule for the State when awarding an OGS State contract. However, if the County uses the State Contract, the County is required

to obtain a separate prevailing wage schedule specific to that County project.

- It is the County's responsibility to confirm that the Prime Contractor has provided all sub-contractors with a copy of the prevailing wage schedule. A verified, signed statement must be obtained from each sub-contractor, certifying that they were provided with a copy of the schedule.

## PROCEDURES

1. **Specifications.** If a purchase is deemed subject to competitive bidding, the requisitioner will assist the Purchasing Agent in the preparation of specifications for the Bid. It is the responsibility of the Purchasing Agent to make alternative suggestions to the requisitioner if, in the judgment of the Purchasing Agent, the specifications would restrict competition or otherwise preclude the most economical purchase of the required items. In case of disagreement as to the content of the specifications, the County Attorney, after reviewing all available data, will make the final determination. The finalized specifications will be approved by the requesting Department, and the County Attorney; a copy will be maintained in the bid solicitation file in the Board of Supervisors office.
2. **Advertisement and Bids.** The advertisement for bids shall be in accordance with the provisions of the General Municipal Law. The Clerk of the Board shall publish the advertisement in the official newspapers designated by the Board of Supervisors and any other print or electronic publications that will insure receipt of responsible and competitive bids. The requesting Department may recommend additional sources for publication. Copies of the public notice, list of all publications, and publication dates shall be maintained in the bid solicitation file. During the period a bid is let, if the Purchasing Agent determines an amendment is warranted, all known bidders will be notified of the amendment by the Clerk of the Board.
3. **Bid Openings.** Sealed bids shall be opened by the Clerk of the Board, and the Purchasing Agent, and will be publicly opened and read at a time and place published in the bid documents. Bids received after the published time will not be accepted and will be returned unopened. The Clerk of the Board or the Purchasing Agent or designee, and at least one County employee, must be present for the bid opening. **No bids are to be opened by a County representative alone.** The public and interested parties may attend the bid opening. At the bid opening, the Purchasing Agent or designee shall prepare a bid tabulation sheet indicating the date, time and location of the bid opening, a listing of the bidders, item being bid, and bid price. This tabulation shall be maintained in the bid solicitation file.
4. **Bid Evaluation.** Following the opening of bids, they will be evaluated by the Purchasing Agent and the Requesting Department and will be awarded to the lowest responsible, responsive bidder or upon determination of best value, depending on which criteria is in the bid specifications.
  - A. The County must have assurance that the successful bidder will be able to perform satisfactorily under the contract. "Responsibility" of bidders shall be

determined based upon financial stability, production capability, ability to deliver on time, ability to provide service if required and past performance. A "responsive" bid is one which is in conformance with the published specifications and requirements, essentially void of contravening terms, gratuitous additions, and unilateral mistakes or obvious errors made in calculating or presenting figures, and reasonable in price.

- B. A bid which is not responsive to the specifications, terms and conditions of the bid shall be rejected by the Purchasing Agent. In all instances where bids are rejected, the Purchasing Agent shall document in writing the specific reasons to substantiate the determination. This documentation shall be maintained in the bid solicitation file.
  - C. Where the basis for award is best value, documentation in the procurement record shall, where practicable, include a quantification of the application of the criteria to the rating of proposals and the evaluation results, or, where not practicable, such other justification which demonstrates that best value will be achieved.
5. **Award.** The Board of Supervisors shall award the bid on the basis of the summary and evaluation. The announcement of bid award shall be made in the monthly Board of Supervisors meeting.
6. **Reservation of Rights.** The County of Wayne reserves the right to reject any and all bids or proposals.

### **PROFESSIONAL SERVICES**

#### **REGULATIONS**

1. Contracts for professional services, which are exempt under the General Municipal Law, Section 103 are not subject to competitive sealed bidding requirements, but are subject to the guidelines of GML 104-b for competitive pricing to be obtained for these services. These services must be procured in a manner so as to assure the prudent and economical use of public monies. Professional services and services requiring special or technical skill, training or expertise are not purchase contracts or contracts for public work, as those phrases are used in the bidding statutes and therefore are not subject to competitive bidding procedures. The determination of whether the professional service exception is applicable in given situations must be made on a case-by-case basis, examining the particular services to be acquired.
2. County officials and employees are prohibited from engaging in collusive activities with potential vendors. In cases where information is needed from an industry source to help prepare specifications, the requisitioner must consult with the Purchasing Agent before contacting a potential vendor.
3. Competitive procedures for professional services may include Requests for Quotations (RFQ), Requests for Proposals (RFP), and pre-qualification for

engineering, architectural, and computer science services. Authorization limits and controls are outlined in "Schedule B: Authorization Levels & Procedures: Professional Services."

- Contracts are required for all vendors on Wayne County Property
4. Contracts for professional services must be made in the best interest of the County. Professional services may be awarded based on the following methods.
    - A. The "**Lowest Cost for Service**" method which allows for awarding to the lowest proposer, OR other than the lowest proposer when the lowest proposal is deemed as non-responsive. Documented facts must support the decision and approval must be obtained from the appropriate committee.
    - B. The "**Best Value**" method, based on weighted average scores from all criteria stated in the RFP specifications and submitted by sealed proposals
  5. A good faith effort shall be made to obtain the required number of quotations or proposals. Appropriate supporting documentation shall be maintained if the Purchasing Department and the requesting department is unable to obtain the required number of quotations or proposals. In no event shall the inability to obtain the quotations or proposals be a barrier to procurement of services.

## PROCEDURES

1. **Determination.** Inquiries to determine whether a proposed service qualifies as professional shall be made to the Purchasing Agent, who in turn may consult with the Department Head, and/or the County Attorney, taking into consideration the following guidelines:

- A. Whether the services are subject to State licensing or testing requirements;
- B. Whether substantial formal education or training is a necessary prerequisite to the performance of the services;
- C. Whether the services require an enduring professional and/or confidential relationship between the County and a vendor of proven ability.
- D. Whether the services have been previously determined to be professional services  
(See DEFINITIONS).

## 2. Solicitation.

- A. The Purchasing Agent shall use "Schedule B: Authorization Levels & Procedures: Professional Services" to determine the solicitation procedure.
- B. RFQs, RFPs, and pre-qualification surveys, at minimum, should include:
  1. Solicitation of a sufficient number of qualified firms. While this number will vary depending upon the situation, a



- C. Necessary, incidental or unauthorized communications, whether initiated by a vendor, County official, employee, or news media, **must** be reported to the Purchasing Agent immediately, and in writing within two (2) business days, and will become part of the bid/RFP file.
- D. If a vendor exists under current contract for the materials or services solicited in a Bid/RFP, and contact between the vendor and requesting department is necessary to maintain operations or perform repairs during the Solicitation and Evaluation Period, Department Heads must report the contact to the Purchasing Agent, as required by Section c above. During such necessary contact, the Bid/RFP shall not be discussed.
- E. If the Bid is being solicited by a Planning House, all communications will go through the Planning House not the Purchasing Department.
- F. All responses to vendor questions will be made in writing under the same restrictions. All known bidders/proposers will receive copies of written responses to ensure that all have equal access to information.
- G. All communications or contacts are limited to the Purchasing Agent, during normal operating hours, 9 a.m. to 5 p.m., unless otherwise part of an on-site pre-bid meeting, Planning House or vendor site visit scheduled by the Purchasing Agent.
- H. All bidders/proposers must include a signed Non-Collusion Statement with their Bids/RFP.
- I. Depending on the nature and circumstances of unauthorized communications, violations of this policy may result in the rejection of the vendor's bid or proposal and/or disciplinary action against the County official or employee.
- J. All sealed bids and proposals will be turned in to the Clerk of the Board, 26 Church St Lyons, NY 14489.

## **BID PROTESTS**

**1. Purpose:** Any actual or prospective bidder, offeror or contractor who is aggrieved in connection with the solicitation or award of a contract may file a protest with the Purchasing Department of Wayne County. The procedures for submitting such protests are set forth herein.

**2. Definitions:**

- A. The term "County" shall mean Purchasing Department of Wayne County.
- B. The term "Bidder" shall mean any actual or prospective Bidder, offeror or contractor who is aggrieved in connection with the solicitation or award of a contract pursuant to an Invitation for Bids, Request for Proposals (RFP) or other form of procurement solicitation.
- C. The term "interested party" includes all bidders on the contract or procurement. The term also includes a subcontractor or supplier at any tier who shows that he/she has a substantial economic interest in a provision or in the interpretation of such a provision of a Bid, RFP or other form of procurement solicitation.

**3. Contents of Protest:** A Bidder desiring to file a protest may submit a **written** protest to County's Purchasing Agent. The protest

must include:

- A. the name and address and telephone number of the Bidder;
- B. identification of the contract or bid solicitation being

- protested;
- C. a detailed and factual statement of the grounds for protest;
- D. supporting documentation; and
- E. the desired relief, action or ruling.

**4. Time for Filing:**

- A. Protests alleging restrictive specifications or improprieties in the bid solicitation which are or should be apparent prior to the bid due date must be received by the County not later than **three** working days prior to the bid due date.
- B. All other protests must be received by the County within **five** working days after the opening of the Bid/RFP.
- C. Any additional information relevant to the protest requested by the County from the protestor shall be submitted to the County as expeditiously as possible, but in no case later than three working days after receipt.
- D. The time limits set forth in this section must be strictly adhered to. The County will not consider a protest or additional documentation which is not received by the Purchasing Department within the time periods set forth in this section.

**5. Action by the County:**

- A. Upon receiving a protest, the Purchasing Agent shall notify the County Administrator and the County Attorney that a protest has been received.
- B. If an award of a contract has already been made at the time that a bid protest is received, the County will notify the contractor of the protest, and will delay the issuance of any notice to proceed until the protest has been disposed of.
- C. If an award of a contract has not already been made, but bids have been opened, the County will notify all bidders who appear to have a substantial and reasonable prospect of receiving an award if the protest is denied.
- D. A recommendation to the Board of Supervisors will not be made for contract award until a written response to a bid protest has been prepared by the Purchasing Agent and such response has been transmitted to the protestor.
- E. If a bid protest is filed before the due date for receiving bids, the County will notify all bidders from whom bids have been received of the filing of a protest and that bids will not be opened until the protest has been resolved.
- F. The filing of a protest will not alter the date on which bids are due. Bids will not, however, be opened by the County until such time as the protest is resolved.
- G. If the County determines that the protest has merit and that the contract must be rebid, the County will set a new date for the submission of bids as set forth in following section (H).
- H. The County shall make a decision regarding the protest and send notice of that decision to the protestor within ten working days following receipt of the protest by the County. The notice of the decision shall outline the factors upon which the decision is based.
- I. The Purchasing Agent shall notify the County Administrator and County Attorney concerning the decision.
- J. If the relief, action or ruling requested by the protestor is granted, the

County will take appropriate actions to amend the bid solicitation or terminate the procurement process.

**7. Furnishing Information on Protests:** The County shall, upon request, make available to any interested party information bearing on the substance of the protest which has been submitted by the protestor except to the extent that withholding of information is required by law or regulation. Any comments on this material must be received by the County within three working days, but in no event will a decision be delayed because an interested party has not had an opportunity to provide comments.

### **CONTRACTUAL OBLIGATIONS**

**The Chairman is the only person designated to be the signor of any contracts on behalf of Wayne County.**

1. All contractual agreements committing the County to any obligation, shall require the signature of the Chairman of the Board of Supervisors. Anyone who executes an agreement in violation of this stated policy shall assume personal liability for any and all obligations, monetary or otherwise.
2. All contracts must be approved by the County Attorney and signed by the Chairman; no County employee shall sign any agreements or contracts.
3. Awards made on the basis of Best Value must be properly documented, including the rationale for selection of the Vendor.
4. A contract with current insurance is required for all vendors that come on Wayne County property, no matter the anticipated cost (pursuant to Res 235 21)
  - If the risk associated with the contract requires the modification of the Wayne County insurance requirement (Res 235 21), it must be presented to the Ad-Hoc Committee consisting of the County Attorney, Fiscal Assistant and the County Auditor
  - If you predict our current insurance requirements (Res 235 21) are too stringent for the item or service being provided, the Ad-Hoc committee must be notified and consulted **BEFORE** RFQ, RFP or Bid is issued.Insurance and contract requirements do not apply for the following exceptions; utility vendors such as NYSEG, Wayne County Water and Sewer Authority, and RGE, delivery services such as UPS, USPS, Fedex, and foster parents. Please reach out to the County Attorney's Office or County Auditor's Office to confirm any exemptions that do not appear on this list prior to the vendor's presence on County property.

Resolution 235-21 adopted the following insurance requirements for vendors that will come on County property, besides the exceptions discussed above. The required insurance is dependent on the type of service the vendor will be providing. If your department is unsure of what category is applicable to the service a vendor will be providing your department, please contact the County Attorney's Office. If this determination is disputed by the department, the final determination lies with the Ad-Hoc committee consisting of the County Attorney, Fiscal Assistant, and County Auditor.

Vendor Classification	Purchase or Lease of Merchandise or Equipment	Maintenance and Repair of Equipment	Transportation Services	Renovation, Maintenance & Repair of Building & Property	Janitorial Services	Lease/Use of Facilities or Grounds	Non-Professional Contract Services	Professional Contract Services	Consultant Services	Capital (New) Construction Projects
<b>Insurance Type</b>										
<b>Commercial General Liability</b>										
Each Occur.	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Fire Damage/ Damage to Rented Premises	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$100,000	\$50,000	\$50,000	\$50,000	\$50,000
General Agg.	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Prod. Comp. Op.	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Personal & Adv. Injury	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Med. Expense	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Host Liquor						\$1,000,000				
<b>Auto Liability</b>										
Any Auto - OR	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Owned	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Hired	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Non Owned	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
<b>Excess / Umbrella</b>										
Each Occur.	\$1,000,000	\$1,000,000	\$10,000,000	\$1,000,000 - \$5,000,000 (limit dependent on project size)	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$5,000,000
Aggregate	\$1,000,000	\$1,000,000	\$10,000,000	\$1,000,000 - \$5,000,000 (limit dependent on project size)	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$5,000,000
<b>Professional Liability</b>										
Each Occur.								\$1,000,000	\$1,000,000	
Aggregate								\$3,000,000	\$3,000,000	
<b>Cyber Liability (if applicable)</b>										
Each Occur.	\$2,000,000							\$2,000,000	\$2,000,000	
Aggregate	\$2,000,000							\$2,000,000	\$2,000,000	
<b>Owners and Contractors</b>										
Each Occur.										\$1,000,000
Aggregate										\$2,000,000
<b>Bonds</b>										
Additional Insured on a Primary & Non-Contributory Basis with a Waiver of Subrogation and 30 Days Notice of Cancellation and Renewal	General Liability	General Liability & Auto	General Liability, Auto & Excess	Payment & Performance Bonds, if applicable. General Liability, Auto & Excess & Work Comp (Waiver of Subrogation)	Employee Dishonesty	General Liability	General Liability, Auto, Excess	General Liability, Auto & Excess	General Liability, Auto & Excess	Payment & Performance Bond General Liability, Auto, Excess & Work Comp (waiver of subrogation)

June 15, 2021

5. The Chairman may sign contract renewals with no amendments and new, budgeted, contracts **under** \$5,000.00 after review and approval or the County Attorney.
6. Items and/or services that are specifically delineated in a Departments budget, do not need a resolution before beginning the proper purchasing procedures contained within.
7. A Department Head shall pick the option of the contracts to be effective for one year with the option to renew for two (2) additional one (1) year periods, or the contract be executed for a full three (3) year term; unless earlier terminated.
8. All service and/or maintenance contracts are required when work is being performed on County owned property; regardless of the amount. Before any person or business renders a service to the County you need to have an executed contract with insurance certificates in place and an authorizing Resolution (if needed). The procedure must be followed regardless of how long the services will be rendered.

#### **PROCEDURES**

1. **Contract Review.** Any type of contract must have a contract agreement form. All contracts shall be signed by the Chairperson and must be approved as to content by the County Attorney and County Administrator. This includes any and all contracts, agreements, leases, maintenance agreements, and any other form which creates a legally binding agreement between the County and another entity.
  - a. Contractual agreements shall be submitted to the County Attorney's Office no later than two (2) months prior to the required date of execution.
  - b. A sign-off sheet will accompany each contract and will be initialed by the Department Head, Chairperson, County Attorney, and the Purchasing Agent.
2. **Award.** Upon authorization and execution and delivery of approved contracts, and any required documentation, the County Attorney's office will provide a notice to proceed to the selected firm, the originating department and the Purchasing Agent.
3. **Documentation.** Upon execution by the Chairperson, copies of the agreements shall be sent to the originating department and the original will be stored by the County Attorney's office for retention. A record of all contracts shall be maintained by the County Attorney's office.

#### **EMERGENCY PURCHASES**

Pursuant to Section 103(4) of the General Municipal Law, defines an emergency as, "as a public emergency arising out of an accident or other unforeseen occurrence or condition, whereby circumstances affecting public buildings, public property or the life, safety or property of the inhabitants requires immediate actions." This section does not preclude alternate proposals if time permits.

If an emergency arises, the Department must contact the Chairman and the County Administrator to obtain approval prior to making any emergency purchases; notification of declaration of Emergency must be done before any vendors can be contacted. Purchasing may be contacted for assistance in procuring products or services required to deal with the emergency. If the Chairman of the Board of Supervisors and the County Administrator determine there is a true emergency, the vendor who can immediately provide the required goods or services will be given prime consideration for the purchase.

#### **EXEMPTIONS TO THE PURCHASING POLICY**

**Purchases falling under the exemptions listed below shall be negotiated to the best of the Department's ability.**

1. Purchases may be exempted from competitive bidding and RFP or RFQ by the County Purchasing Agent when it is clearly determined that there is only one vendor capable of providing a particular material or service. Status of a vendor as a sole or single source shall be fully and clearly documented and on file with the County Purchasing Agent. In addition, the sole/single source status should be declared by the Board of Supervisors in an appropriate resolution prior to contracting.
2. In accordance with Section 104 of the General Municipal Law, emergency purchases may be waived from competitive bidding in case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants require immediate action.
3. Membership and conference fees.
4. All Physician, Dentists, Medical Providers, Counseling Services and Certified Therapists, such as in the areas of Speech, Occupational and Physical Therapies.
5. Subscriptions and valid membership dues.
6. Public Work Services where, upon the determination by the Superintendent of Public Works, it is not feasible to determine the amount to be spent for repairs to vehicles, equipment or machinery (outside of standard repair to be handled by the County employees including Central Garage), until the item is inspected and/or dismantled and a cost for the inspection or diagnosis has already been incurred and for which it would not be practical to transport the equipment or machinery for multiple quotes, If auto repairs are authorized by the Insurance Provider as a result of an collision, the Superintendent of Public Works may proceed upon the recommendation of the Insurance Adjuster.
7. When purchases for goods or services are funded by State and/or Federal agencies, and procurement policies other than Wayne County are required, by law, to be followed, the Federal and/or State procurement policies shall override the County's Purchasing Policy.
8. Interdepartmental charges and agreements by which the County departments are able to charge other County departments for services rendered and/or goods or supplies
9. Assigned Council

10. Employee reimbursements
11. Legal Notices
12. Utility Bills
13. Postage meter and stamp costs
14. Youth Placement Agencies
15. Pass thru money

#### **SINGLE AND SOLE SOURCE**

Competitive Bidding is not required under section 103 of the General Municipal law in those limited situations when there is only one possible source from which to procure goods and services required in the public interest such as in the case of certain patented goods or services. Single and Sole Source status of a vendor shall be declared by the Wayne County Board of Supervisors and will be re-evaluated at the end of each contract term before entering into a new contract, if applicable.

**Sole Source** can be a manufacturer, software developer or service provider that sells direct and there are no other sources offering an "or equal". A sole source procurement is one in which only one vendor can supply the commodities or services required. Prior to a vendor being considered, a sole source form shall be completed by the requesting department and reviewed for approval by the Purchasing Agent and County Attorney. In addition, a letter from the manufacturer must be on file with the County Purchasing Agent detailing their sole source status, this is the responsibility of the requesting department.

**Single Source** could be a distributor/wholesaler/retailer that has a contractual agreement for a specific territory to the exclusion of others. A single source procurement may be one in which, although there are two or more potential offerors, it is determined that it is in the best interest of the County to procure from a particular vendor. An example would be where an agency needs maintenance for a particular piece of equipment and that maintenance must be provided by a particular vendor to maintain the warranty. Should you have a situation involving a single source supplier, a statement describing the reasons the vendor is considered a single source, along with appropriate documentation (such as a copy of the equipment warranty) shall be provided to the Purchasing Agent and County Attorney for review and approval prior to making the purchase. This is the responsibility of the requesting department.

In making these determinations, the Department should document, among other things, the unique benefits of the item as compared to other items available in the marketplace. In addition, the Department should document that, as a matter of fact, there is no possibility of competition for the procurement of the goods. The request may be reviewed with the County Administrator, Purchasing Agent and County Attorney for approval before being presented to the Board of Supervisors.

#### **STANDARDIZATION**

Section 103 of the General Municipal Law makes it possible for the County to standardize on a particular type of material or equipment. The standardization resolution must be approved by at least two-thirds of all Board members, and must state that for reasons of efficiency or economy there is a need for standardization. The resolution will contain a full explanation supporting such

action.

The adoption of such a resolution does not eliminate the necessity for conformance to the Purchasing Policy.

Standardization, as the word implies, restricts a purchase to a specific model or type of equipment or supply, but does not limit the vendors it can be purchased from.

#### **ALTERNATIVE PROCUREMENT METHODS**

Mandated Sources/Preferred Sources - Mandated procurement sources shall be investigated when commodities and/or services offered by these sources are requested, regardless of the dollar amount. These sources are referred to as New York State Preferred Sources. If the commodity or service is available in the form, function and utility as required by the County, then the purchase must be made from the mandated/preferred source.

State Contract - As an alternative to securing quotes or following the bid procedures identified herein, a department may purchase from a State Contract, with approval by the Purchasing Agent and County Attorney, by submitting a requisition as directed herein. [www.oqs.state.ny.us](http://www.oqs.state.ny.us)

Purchases made by utilizing New York State Contracts may be done without the requirement of obtaining quotes or bids as New York State has already gone to bid for these items. In the event that any purchase is ruled not in the County's best interest or additional price comparisons are desired, the department(s) shall obtain quotes pursuant to quoting procedures as outlined in the Purchasing Policy and Procedures. This will ensure the County is obtaining the best possible price for the commodities required.

Other County Contracts - As an alternative to securing quotes or following the bid procedures identified herein, a Department head may purchase from another County's Contract, with approval by the Purchasing Agent and County Attorney, in accordance with the provisions of GML §103(3). Such purchases shall comply with the procedures and terms established by the County from whom said contract was originated. The Requisition must contain in the notes the agency name and contract/bid/reference number.

Piggybacking on Other Government Contracts — Pursuant to GML § 103 (16), local governments are allowed to "make purchases of apparatus, materials, equipment or supplies, or to contract for services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, may make such purchases, or may contract for such services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, as may be required by such county, political subdivision or district thereon through the use of a contract let by the United States of America or any agency thereof, any state or any other county or political Subdivision or district therein if such contract was let in a manner that constitutes Competitive bidding consistent with state law and made available for use by other Governmental entities."

IT Purchases through Federal Schedule 70: Pursuant to GML §103 (1-b) local governments can bypass the usual bidding process for IT equipment. They are authorized to purchase information technology and telecommunications hardware, software and professional services through cooperative purchasing permissible pursuant to federal general services administration information technology schedule seventy.

Security and Law Enforcement Purchases through Federal Schedule 84: Used for the purchase of security and law enforcement equipment. It features alarm and signal systems, facility management systems, firefighting and rescue equipment, law enforcement and security equipment, marine craft and related equipment, special purpose clothing, and related services.

\*\*Please contact the Purchasing Agent for assistance

### **BLANKET PURCHASE ORDERS**

A Blanket Purchase Order is created for products or services that are purchased on an "as needed" basis from a vendor throughout the year where the dollar value will vary for each purchase. These are issued for a maximum period of twelve (12) months and must be reissued at the beginning of each fiscal year.

For vendors used by all County Departments, each Department will issue a Blanket Purchase Order for their Department only. There has to be quotes, a bid and/or a contract established with the vendor and insurance on file (if required) before a Blanket Purchase Order can be issued.

Departments are responsible for providing the Blanket Purchase Order number to the vendor and verify that the number also appears on the documentation sent to Audit for payment processing.

### **§ 140-16. ARTICLE XVI. UNIFORM GUIDANCE COMPLIANCE FOR FEDERAL AWARDS- PROCUREMENT, SUSPENSION AND DEBARMENT**

#### **§ 140-16.1 Purpose**

2 CFR Part 200 (subparts A-F) "Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards requires organizations receiving federal awards to establish and maintain effective internal controls over federal awards.

#### **§140-16.2 General Policy Statement**

The requirements for procurements using federal awards are contained in the Uniform Guidance (2 CFR Part 200, subparts A-F), program legislation, Federal awarding agency regulations, and the terms and conditions of the award.

To comply with 2 CFR Part 200 (subparts A-F), the County of Wayne implements policies and procedures, including, but not limited to:

- A. The County will use its own documented procurement procedures which reflect applicable State, Local and Tribal laws and regulations; provided that the

procurements conform to applicable federal law and Uniform Guidance. As such, County procurements related to Federal grants will be subject to New York State General Municipal Law, Wayne County Procurement Policy and Uniformed Guidance Requirements.

B. Contract files will document the significant history of the procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis of contract price.

C. The County will utilize one of the five acceptable procurement methodologies detailed in §200.320 which include:

- Micro Purchase
- Small Purchase Procedure
- Sealed Bid
- Competitive Proposal
- Non-Competitive Proposal (Sole Source)

D. Procurements will provide for full and open competition as set forth in the Uniform Guidance, or State and local procurement thresholds, whichever is most restrictive.

E. No employee, officer or agent may participate in the selection, award or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents can neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. If the financial interest is not substantial or the gift is an unsolicited item of nominal value, no further action will be taken. However, disciplinary actions will be applied for violations of such standards otherwise.

F. The County will avoid acquisition of unnecessary or duplicative items. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical procurement approach. The County will also analyze other means, as described in §200.318 of the Uniform Guidance, to ensure appropriate and economical acquisitions.

G. The County will enter into state and local intergovernmental agreements or inter-entity agreements, where appropriate.

H. The County will only utilize Time and Materials contracts when it has been determined, in writing, that no other contract type is suitable.

I. Vendors/Contractors that develop or draft specifications, requirements, statements of work, or invitation to bids or requests for proposals must be excluded from competing for such procurements.

J. The County will make available, upon request of the federal awarding agency or pass-through entity, technical specifications on proposed procurements where the federal awarding agency or pass-through entity believes such review is needed.

K. County Departments are prohibited from contracting with or making sub awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. "Covered Transactions" include those procurement contracts for goods and services awarded under a non-procurement transaction (i.e. grant or cooperative agreement) that are expected to equal or exceed \$20,000. All non-procurement transactions (i.e. sub-awards to recipients), irrespective of award amount, are considered covered transactions.

L. The County of Wayne will include a suspension/debarment clause in all written contracts in which the vendor/contractor will certify that it is not suspended or debarred. The contract will also contain language requiring the vendor/contractor to notify the County immediately upon becoming suspended or debarred. This will serve as adequate documentation as long as the contract remains in effect.

M. County Departments will be required to notify the Purchasing Department and Board of Supervisors that federal funding will be used for a certain procurement/contract. When requesting a written contract, the County Department will be responsible for running the vendor/Contractor's name through the System for Award Management (SAM) to determine any exclusions. A copy of the SAM search will be included with the contract request. Prior to issuing a purchase order using federal funds, the Fiscal Assistant will check the SAM to determine if any exclusions exist for the Vendor/Contractor. If a vendor/contractor is found to be suspended or debarred, the County will immediately cease to do business with the vendor.

N. The County will not use statutorily or administratively imposed state, local or tribal geographical preferences in the evaluation of bids or proposals; except in those cases where applicable federal statutes expressly mandate or encourage geographical preference.

O. The County will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor area surplus area firms are used when possible.

P. The County will procure recovered materials in compliance with §200.322.

Q. The County will require appropriate bonding requirements as per §200.325.

R. The County will only award contracts to Responsible Vendors and will document, in writing, such determination.

S. County contracts will contain the applicable provisions described in Appendix II to Part 200 – Contract Provisions for Non-Federal Entity Contracts Under Federal

Awards.

T. The County will maintain oversight to ensure that contractors perform in accordance with the contracts terms, conditions, and specifications.

U. Copies of executed contracts will be maintained in MUNIS and Purchase Orders will be maintained in the MUNIS.

## **VIOLATIONS**

Department heads are responsible for their departments' and employees' compliance with this policy. Deviation from this policy may delay purchasing or payment. Violations of this policy will be reported to the County Administrator for corrective action.

**This policy shall go into effect July 1<sup>st</sup>, 2021 and will be reviewed periodically as circumstances warrant. If subsequent changes occur in New York State or Federal Law which are inconsistent with this Purchasing Policy, or if any part of this policy as adopted is in violation of state or federal law, state or federal law shall control the purchasing practices of the County of Wayne.**

## **ATTACHMENTS**

Schedule A and Schedule B

## **REFERENCES:**

New York State General Municipal Law and County Law

**ISSUED:**

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Richard House  
County Administrator

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Ken Miller  
Chairman

Schedule A: Authorization Levels and Procedures:

**Purchase of Materials, Supplies and Equipment and Public Works Contracts**

Purchase Contracts: Materials, Supplies and Equipment	Public Works Contracts:	Authorization and Process:
<b>Total purchase amount anticipated for the calendar year</b>		
\$0-\$4,999	\$0-\$4,999	*Discretionary spending unless vendor on county property
\$5,000-19,999	\$5,000-\$34,999	* RFQ solicited and 3 quotes received (if possible)
\$20,000 or More	\$35,000 or more	*Prepare bid specifications and send to Purchasing to finalize bid and get proper approvals *Bids advertised

Schedule B: Authorization Levels and Procedures:

**Professional Services**

<b>Total purchase amount anticipated for the calendar year</b>	
\$0-\$4,999	*Discretionary spending unless vendor on county property
\$5,000-\$19,999	* RFQ solicited and 3 quotes received (if possible)
	*Selected from Pre-Qualified list of firms currently on contract with the County
	*Vendor is selected by the Department Head and Purchasing after approval from the County Attorney

\$20,000 or more	<p>*Department sends Purchasing the RFP specifications; Purchasing will then finalize RFP and get approval from the County Attorney then send to the Clerk of the Board for advertisement</p> <p>*If the services are on a prequalified list the RFP only needs to be sent to all vendors on the prequalified list at a minimum.</p>

**\*\*A contract is required for all vendors whose employees/agents will be physically on the County property at any point during the contract.\*\***

**Pursuant to Resolution 235-21\*\***

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

**RESOLUTION 309-21: AUTHORIZATION TO CREATE OVERTIME BUDGET LINE AND HIRE A PART-TIME TEMPORARY TAX MAP TECHNICIAN AS A RESULT OF AN EMPLOYEE ILLNESS**

Ms. Leonard presented the following:

WHEREAS, The Real Property Tax Department currently has a staff member illness that is anticipated to create a vacancy, and

WHEREAS, that it is anticipated the vacancy could be several months, and

WHEREAS, the duties and tasks of the vacant position's staff member must continue to be completed during the staff member's absence, and

WHEREAS, the Real Property Tax Director knows of a person who could potentially be hired as a part time unbenefited Tax Map Technician on a temporarily basis for up to a 6-month period of time, at the 2021 hire rate of \$24.77 to assist the department in the absence of the staff member, and

WHEREAS, that in the event that the potential part time unbenefited Tax Map Technician was not able to fulfill the department's needs, a second Tax Map Technician within the department could work overtime to fill the department's needs; therefore, be it

RESOLVED that a part-time temporary tax map technician position be created in Real Property Tax Department and; be it further

RESOLVED that the Wayne County Treasurer is authorized to revise the 2021 budget as follows;

1990 General Fund Contingencies

(Appropriations)

\$5,000 from 54000 Contractual Expenses

A1355 Assessment – Real Property Tax

(Appropriations)

\$5,000 to 51904 Overtime

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

**RESOLUTION 310-21: AUTHORIZATION TO AMEND COUNTY TREASURERS BUDGET FOR ESTATE BURIAL COST**

Ms. Leonard presented the following:

WHEREAS, Resolution 373-20 authorized funding for estate burial cost; and

WHEREAS, no funding was needed during calendar year 2020; and

WHEREAS, the County Treasurer acts as the Wayne County Public Administrator pursuant to the Surrogate's Court Procedures Act (SCP) 1219; and

WHEREAS, there continues to be an above average number of estates where no one with a legal responsibility has stepped forward to settle an estate resulting in the County Treasurer being appointed to settle the estate; and

WHEREAS, there have been instances where the estate has no liquid assets, but does have assets that disqualify the decedent from a DSS or Veteran indigent burial; and

WHEREAS, there have been instances where legally responsible spouses have not stepped forward creating public health concerns where the County must step in pay for a burial, and

WHEREAS, the County can be held financially responsible for the storage of unclaimed decedents by area morgues; and

WHEREAS, it is the respectful thing to do to ensure that residents are properly taken care of even in death; and

WHEREAS, the County would have the ability to recover burial costs once assets from the estate were liquidated; now therefore be it

RESOLVED, the Wayne County Treasurer is authorized to amend the 2021 County Budget as follows to pay for burial cost as needed:

**A1325 COUNTY TREASURER**

(Revenues)

\$10,000 to .40000 Miscellaneous

(Appropriations)

\$10,000 to .54515 Estate Expense

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

**RESOLUTION 311-21: AUTHORIZATION TO ACCEPT THE FEDERAL AMERICAN RESCUE PLAN ACT FUNDING AND AMEND THE 2021 COUNTY BUDGET**

Ms. Leonard presented the following:

WHEREAS, On March 11, 2021, the American Rescue Plan Act (ARPA) of 2021 (H.R. 1319) was signed into law, and includes \$65.1 billion in direct aid to counties and several additional funding opportunities for counties, to combat the COVID-19 pandemic, including its public health and economic impacts; and

WHEREAS, Wayne County is to receive \$17,465,517 in total funding; and

WHEREAS, on June 1, 2021 Wayne County received the first install of \$8,732,758.50 with the second installment to be paid out in County Fiscal year 2022; and

WHEREAS, to ensure that the County received this funding the County Treasurer and Chairman of the Board of Supervisor where required to complete a formal request and sign documents with the United States Treasury; and

WHEREAS, this funding is restricted funding that can only be used for specific purposes, which requires the County to manage, track, monitor, and report APRA revenues and expenses separately from other accounts; and

WHEREAS, the County believes it is necessary to have an oversight committee that will review and approve all request for use of these fund prior to request going to standing committees for approval; now there be it

RESOLVED, the Wayne County Treasurer is authorized to amend the 2021 County

Budget as follows

**A1011 – ARPA Funding**

(Revenues)

\$8,732,758.50 to .44289 Federal Aid

(Appropriations)

\$8,732,758.50 to .54000 Contractual Expenses

and be it further

RESOLVED, that the Board acknowledges and approves of the County Treasurer and Chairman of the Board of Supervisor filing and signing necessary paperwork prior to Board of Supervisor approval; and be it further

RESOLVED, that the County Treasurer and Chairman of the Board are authorized to file any reports as required for this funding going forward; and be it further

RESOLVED, that the Chairman of the Board is authorized to appoint an oversight committee to provide preliminary approval of usage of these funds prior to standing committee approval.

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

**RESOLUTION 312-21: ADOPTION OF THE 2022-2026 CAPITAL PLAN FOR WAYNE COUNTY**

Ms. Leonard presented the following:

WHEREAS, the County Administrator submitted the proposed 2022-2026 Capital Plan to the Board of Supervisors on April 20, 2021; and

WHEREAS, Department Heads who have submitted Capital Plan requests have reviewed their requests with their committees at their regularly scheduled May committee meetings; and

WHEREAS, a copy of the revised Capital Plan is on file with the Clerk of the Board of Supervisors; and

WHEREAS, a Public Hearing on the 2022-2026 Capital Plan was conducted on June 15, 2021; and

WHEREAS, the Capital Plan is a planning instrument and not an appropriations or funding commitment; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby adopts the 2022-2026 Capital Plan filed with the Clerk of the Board.

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

Mrs. Leonard thanked Mr. Sams and Mr. Blake for their work on the Capital Plan.

**RECESS**

Chairman Miller requested a 5 minute recess at 9:40 a.m.

**REGULAR SESSION**

The board resumed regular session at 9:46 a.m.

**RESOLUTION 313-21: AUTHORIZATION TO APPLY FOR THE UNITED STATE DEPARTMENT OF JUSTICE COMMUNITY ORIENTED POLICING SERVICES (COPS) 2021 SCHOOL VIOLENCE PREVENTION GRANT**

Mr. Eygnor presented the following:

WHEREAS, the Wayne County Sheriff's Office is eligible to apply for funding under the United States Department of Justice Community Oriented Policing Services (COPS) 2021 School Violence Prevention Grant; and

WHEREAS, this grant requires no local match; and  
WHEREAS, the Sheriff is desirous of participating in this grant program; now, therefore, be it  
RESOLVED, that the Chairman of the Wayne County Board of Supervisors and the Sheriff is hereby authorized to apply for the United States Department of Justice Community Oriented Policing Services (COPS) 2021 School Violence Prevention Grant.

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

**RESOLUTION 314-21: AUTHORIZATION TO REMOVE REAL PROPERTY PARCEL FROM THE PUBLIC AUCTION AND RETAIN FOR PUBLIC PURPOSES**

Ms. Leonard presented the following:

WHEREAS, property located at 12966 Old Rt. 31 in the Town of Savannah (Parcel ID #77111-00-067752) was subject to 2018 tax liens and foreclosed upon by the County Treasurer; and

WHEREAS, the Town of Savannah has requested that this parcel be transferred to the Town of Savannah so it may be used for green space; now therefore be it

RESOLVED, that the parcel located at 12966 Old Rt. 31 in the Town of Savannah be removed from Real Property Auction and be it further

RESOLVED, that the Chairman of the Board is authorized to documents to complete the transfer.

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

**RESOLUTION 315-21: AUTHORIZATION TO WITHDRAW REAL PROPERTY PARCELS WITH TITLE ISSUES FROM THE TAX FORECLOSURE PROCESS CERTAIN**

Ms. Leonard presented the following:

WHEREAS, The County Treasurer has identified certain real property listed below, a copy which is on file with the Clerk of the Board with title issues in the Tax Foreclosure process for 2021 in regards to unpaid real property tax liens for the year 2019.

WHEREAS, the County Real Property Tax Foreclosure proceeding for 2021 in relation to unpaid real property tax liens from 2019 is progressing forward and will result in a Judgement awarding to the County of Wayne title to certain parcels of real property in relation to which the 2019 tax liens held by the County were foreclosed; and

WHEREAS the County Board of Supervisors has identified certain real property parcels included on the list of property for which the 2019 real property tax liens remain unsatisfied, a copy which is on file with the Clerk of the Board, which have legal barriers to foreclosing the tax liens for tax enforcement; now, therefore, be it

RESOLVED, the Board of Supervisors, upon the recommendation of the Wayne County Treasurer and the County Attorney, concurs with their recommendation that these real property parcels listed below be withdrawn from the foreclosure process.

<u>Town/Village</u>	<u>Property</u>	<u>Location Owner</u>	<u>Tax Map #</u>
<u>Town of Arcadia</u>			
Seq. # 130	203 Blackmar St	William Dalton	68111-18-450183
<u>Town of Butler</u>			
Seq. # 258	13004 Washburn Rd	Ronald Youells	76115-00-980448
<u>Town of Galen</u>			

Seq. #392 105 Elm St Kenneth Bond 74112-14-283499

Town of Macedon

Seq. #678 352 Route 31F Edward Lawson 61112-00-257847

Town of Rose

Seq. #1007 10400 Railroad Ave Ellen Main 73116-20-841066

Town of Sodus

Seq. #1158 Brantling Hill Rd Kenneth Davison 68115-00-935424

Town of Walwort

Seq. #1352 4396 County Line Rd Nahum Machall 61115-00-098315

Town of Williamson

Seq. #1425 4079 Ridge Rd William Dixon 65117-12-933532

Seq. #1439 7026 Lake Ave Patricia Cooney 65118-00-986586

Seq. #1464 7627 Hamilton St William Eaton 66119-13-018338

Town of Wolcott

Seq. #1507 12014 Main St Adam Elliss Jr. 75117-16-853334

Seq. #1551 6020 Auburn St Shannon Buckman 76117-13-025339

Seq. #1564 6985 Wadsworth St Paul Moody 76118-00-343528

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

**RESOLUTION 316-21: AUTHORIZATION TO REMOVE REAL PROPERTY PARCEL FROM THE PUBLIC AUCTION AND TRANSFER TO CANAL CORPORATION AND CSX**

Ms. Leonard presented the following:

WHEREAS, the following properties are nonconforming lots or located on land owned by New York State

Sequence #	Parcel ID	Location	Transfer To
1800344	73112-00-396056	Town of Galen	DEC Nature Preserve
1800680	61112-00-200181	Town of Macedon	Canal Authority or CSX (Non-Conforming Lot along tracks)
1800938	66110-06-457928	Town of Palmyra	Canal Authority
1800939	66110-06-461925	Town of Palmyra	Canal Authority
1800949	66112-12-802524	Town of Palmyra	CSX (Non-Conforming Lot along tracks)
1800954	67110-05-048867	Town of Palmyra	Canal Authority
1900699	61112-17-100154	Town of Macedon	Canal Authority
1900705	61112-19-553125	Town of Macedon	Canal Authority

; and

WHEREAS, the County Treasurer believes it is in the best interest of the County to not sell these parcels at auction and to work transfer these parcels back to the Canal Corporation and CSX as necessary; now therefore be it

RESOLVED, that the following parcels shall be removed from Real Property Auction

Sequence #	Parcel ID	Location	Transfer To
1800344	73112-00-396056	Town of Galen	DEC Nature Preserve
1800680	61112-00-200181	Town of Macedon	Canal Authority or CSX (Non-Conforming Lot along tracks)

1800938	66110-06-457928	Town of Palmyra	Canal Authority
1800939	66110-06-461925	Town of Palmyra	Canal Authority
1800949	66112-12-802524	Town of Palmyra	CSX (Non-Conforming Lot along tracks)
1800954	67110-05-048867	Town of Palmyra	Canal Authority
1900699	61112-17-100154	Town of Macedon	Canal Authority
1900705	61112-19-553125	Town of Macedon	Canal Authority

; and be it further

RESOLVED, that the Chairman of the Board is authorized to documents to complete the transfer subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 317-21: AUTHORIZING TRANSFER OF PROPERTY TO THE WAYNE COUNTY REGIONAL LAND BANK CORPORATION**

Ms. Leonard presented the following:

WHEREAS, the County has commenced a real property tax foreclosure proceeding pursuant to Real Property Tax Law Article 11,

WHEREAS, The Wayne County Regional Land Bank Corporation has demonstrated its ability to provide needed attention to derelict properties and is requesting the County to transfer ownership of (13) parcels to the Land Bank, and

WHEREAS, the Director of the Wayne County Regional Land Bank Corporation has reviewed the list of foreclosure properties and has requested the following properties be transferred to the Land Bank:

- Seq #1800155 2889 Tack Rd; Arcadia  
#68113-00-507438
- Seq #1800509 11371 Ridge Rd; Huron  
#75117-00-048542
- Seq #1800611 46 Canal St; Lyons  
#71111-09-138667
- Seq #1800614 58-66 Canal St; Lyons  
#71111-09-157668
- Seq #1800644 39 Shuler St; Lyons  
#71111-13-172491
- Seq #1801015 5023 Gray St; Rose  
#73116-20-793081
- Seq #1801222 7 Mill St; Sodus  
#69117-06-256936
- Seq #1801498 4084 Ridge Rd; Williamson
- #65117-12-935514
- Seq #1900579 17 Rice St; Lyons  
#71111-05-076883
- Seq #1900612 50 Canal St; Lyons  
#71111-09-141667
- Seq #1900643 39 Elmer St; Lyons  
#71111-13-179465
- Seq #1900977 10523 Wayne Center Rose Rd; Rose
- #73114-00-981948
- Seq #1901010 Railroad Ave; Rose  
#73116-20-852066

WHEREAS, the County is authorized to transfer the title of the aforesaid real property

under Section 1608 of the Not-For-Profit Corporation Law, which authorizes and allows the County to make a conveyance of real property owned by the County to a Land Bank established pursuant to Article 16 of the Not-for-Profit Corporation Law of the State of New York, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors authorizes the Wayne County Treasurer and County Attorney to transfer the deed for the above described property to the Wayne County Regional Land Bank Corporation for the amount of \$1.00 each.

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

**RESOLUTION 318-21: AUTHORIZING TRANSFER OF PROPERTY TO THE WAYNE COUNTY REGIONAL LAND BANK CORPORATION AND SIGN AGREEMENT**

Ms. Leonard presented the following:

WHEREAS, the County has commenced a real property tax foreclosure proceeding pursuant to Real Property Tax Law Article 11,

WHEREAS, The Wayne County Regional Land Bank Corporation has demonstrated its ability to provide needed attention to derelict properties; and

WHEREAS, the Director of the Wayne County Regional Land Bank Corporation and the County Treasurer have reviewed the list of foreclosure properties and are requesting the following properties be transferred to the Land Bank:

- Seq #1900013      2280 Sand Hill Rd; Arcadia      #67113-00-322367
- Seq #1900711      1071 Route 31; Macedon      #62111-00-212778

WHEREAS, Seq. #1900013 is more commonly known as the Sand Hill Trailer Park; and

WHEREAS, based on public records, discussion with Wayne County Public Health, discussion with the Commissioner of Social Services; it is in the best interest of the County Taxpayers and the residents of the park that the landbank take ownership of this parcel to find a suitable owner; and

WHEREAS, Seq. #1900711 is more commonly known as the Rando factory; and

WHEREAS, based on public records, discussion with environmental consultants, and publicly available DEC records, this parcel has a history of contamination; and

WHEREAS, remediation of previous contaminants has been completed per public DEC records but there is concern that the site may have other contaminants that need remediating; and

WHEREAS, the Land Bank and County Planning Department have funding to investigate the Rando factory; and

WHEREAS, the County Treasurer and Director of the Wayne County Regional Land Bank believe it is in the best interest of both parties to enter into a reimbursement agreement from the Land Bank to the County in the amount of the taxes that are written off, to be paid from the proceeds of the sales of both parcels; and

WHEREAS, the County is authorized to transfer the title of the aforesaid real property under Section 1608 of the Not-For-Profit Corporation Law, which authorizes and allows the County to make a conveyance of real property owned by the County to a Land Bank established pursuant to Article 16 of the Not-for-Profit Corporation Law of the State of New York, now therefore, be it

RESOLVED that the Wayne County Board of Supervisors authorizes the Wayne County Treasurer and County Attorney to transfer the deed for the above described property to the Wayne County Regional Land Bank Corporation; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a reimbursement agreement with the Wayne County Landbank subject to the approval of the County Attorney as to form and content and the approval of the Wayne County Regional Land

Bank Board of Directors.

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

**EXECUTIVE SESSION**

Mrs. Jacobs motioned to enter into Executive Session to discuss a personnel matter at 9:52 a.m. seconded by Mrs. Leonard.

**REGULAR SESSION**

Mr. Eygnor motioned to enter into Regular Session at 10:15 a.m. seconded by Mr. Emmel.

**ADJOURNMENT:**

Prior to adjournment, Chairman Miller announced that the next scheduled meeting of the Board is **Tuesday, July 20, 2021 at 9:00 a.m.**

Mr. Johnson moved, seconded by Mrs. Leonard, that the board adjourn at 10:18 a.m. Carried.

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