

11th Day
Tuesday, September 19th, 2023

Due to the elevator upgrade at the Court House, the regular meeting of the Board of Supervisors was held at the Wayne County Public Safety Building, Emergency Management Division, Operations Room, Chairman Eygnor presiding. County Administrator Richard House and County Attorney Dan Connors were also in attendance.

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

Upon roll call, all Supervisors were present for this morning's session except for Supervisor Johnson, who was absent.

APPROVAL OF MINUTES

Mr. Lasher moved, seconded by Mr. Brady, to waive the reading of the minutes of the August 14, 2023 meeting. Upon roll call, carried.

COMMUNICATIONS

The County Auditor's August 2023 Audit of Claims Summary totaling \$5,755,886.50 was received and filed.

The Sheriff's Office Cash Receipts Report dated August 25, 2023 totaling \$15,372.68 was received and filed.

A thank you card was received from Susanne Sidler-Behm of the Butler Historical Preservation Society thanking the County for purchasing signs for each town in Wayne County.

A Certificate of Appreciation was received thanking Wayne County for their continued support to the Wayne County Youth Derby.

Cayuga County Resolution 204-23 was received in regards to the appointment of Gabrielle M. W. Simmons, of Wadhams Enterprises to fill an open vacancy for a three-year term on the Finger Lakes Workforce Investment Board (FLWIB).

A letter was received from New York State Agriculture and Markets requiring the review of Wayne County Agricultural District No. 1.

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

PROCLAMATIONS

Sheriff's Week – Mr. Verno read the proclamation for Sheriff's Week, September 17th – 23rd, 2023. Sheriff Milby thanked the Board for this recognition and noted that he could not run the Sheriff's Office without the support and dedication of his staff and deputies.

Retirement – Bill Liddle, EMS Coordinator

Mr. Verno read the proclamation presented to Bill Liddle, for his 28 years of dedicated service to Wayne County as Emergency Medical Services Coordinator. The Board congratulated Mr. Liddle for his many years of public service in making Wayne County a better place, wishing him a happy and healthy retirement.

PUBLIC HEARING - Wayne County Agriculture and Farmland Protection Plan Update

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

The Clerk read the following notice of public hearing:

Notice of Public Hearing Wayne County, New York will conduct a public hearing on September 19, 2023 at 9:05 A.M at the Emergency Management Department, 7376 Route 31, Suite 2000, Lyons, NY for the purpose of hearing public comments on the proposed Wayne County Agriculture and Farmland Protection Plan update.

Originally adopted in 1997 and updated in 2011, the Wayne County Agriculture and Farmland Protection

Plan was updated and recommended by the Wayne County Agriculture Development Board, which includes six statutory farm or farm business members. The members participated in the development of the plan, reviewed drafts and modified the Plan in accordance with their understanding of Wayne County and from information obtained from the survey, agribusiness interviews and public meetings and workshops. Approximately 60 people participated in the planning process.

The final draft of the Wayne County Agriculture Strategic Plan is available online at <https://www.waynecountyagplan.com/>. Following the public hearing, and if approved, the plan will then be sent to NYS Department of Agriculture and Markets for review and approval of the New York State Commissioner of Agriculture and Markets.

7376 Route 31, Suite 2000, Lyons, NY 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 315-946-5403, at least one week in advance of the hearing date to allow for necessary arrangements. Written comments may also be submitted to Kelley Loveless, Clerk of the Board, 26 Church Street Lyons, NY 14489 by September 15, 2023.

At 9:10 a.m., Chairman Eygnor opened the floor for the public, stating that people interested in making a comment regarding the Wayne County Agriculture and Farmland Protection Plan Update should come forward to the podium to address the Board. Further, he requested that they state their name and address for the record.

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

Mr. Mettler moved, seconded by Mr. Kolczynski, that the hearing be closed at 9:11 a.m. Upon roll call, carried.

PRIVILEGE OF THE FLOOR:

There was no interest for Privilege of the Floor.

PRESENTATIONS

Solar Eclipse

Emergency Management Services Director, George Bastedo, spoke to the Board about the April 8th 2024 solar eclipse that will offer prime viewing in, and surrounding, Wayne County. He believes this could be the largest travel event in County's history and the County needs to prepare for the influx of people. Although the actual eclipse will start at 2:07 p.m. and end at 4:30 p.m. It is believed 300,000 to 1 million people will come to view the event in Upstate New York. Areas in the direct path of the eclipse are planning for a Five-Day Eclipse Mania Event that will go from April 5th – 9th. Mr. Bastedo said the County would need to make a decision if they will be financially contributing toward the event that will bring thousands of people into the County. The County has established a Solar Eclipse Committee to continue to address these, and other, issues.

A poster depicting the solar eclipse that will be experienced in Wayne County was available at the meeting for all to see; it showed an apple blocking out the sun. The poster is available through the County's Historical Society.

Northern Wayne Advanced Life Support Donation

Bruce and Carol Lee presented Jim Lee with a check for \$10,390.57 to be used for training purposes.

Taste of Wayne County Awards

Newark Mayor Jonathan Taylor presented the "Best Taste of Wayne County" award to the Sugar & Slice, located in the Village of Newark. "Best Vendor Presentation" went to Sweet Indulgence Pastries, Wolcott and Salt Box Smoke House of Sodus received an Honorable Mention.

UNFINISHED BUSINESS:

Mr. Verno moved, seconded by Mr. Kolczynski to remove Resolution 439-23 from the table. Upon roll call, carried. Mr. Verno moved, seconded by Mr. Kolczynski to withdraw resolution 439-23. Upon roll call, all Supervisors voted aye except Mr. Johnson who was absent. The Chairman declared the resolution withdrawn.

SCHEDULED BUSINESS:

RESOLUTION 447-23: AUTHORIZATION TO CREATE A FULL TIME NETWORK TECHNICIAN POSITION IN THE INFORMATION TECHNOLOGY DEPARTMENT FOR CYBER SECURITY AND ABOLISH ONE POSITION OF COMPUTER SERVICES ASSISTANT

Mrs. Leonard presented the following:

WHEREAS, cyber security is an important role of the County IT department; and

WHEREAS, cyber security attacks on business and municipalities are occurring at a higher frequency; and

WHEREAS, the Information Technology Department would like to shift more resources to cyber security and have a staff member assigned to perform the specific tasks, duties and functions related to cyber security; and

WHEREAS, this position would allow the IT department to dedicate more resources to cyber security as well as provide succession for other network management functions; and

WHEREAS, the position of Computer Services Assistant is a grade 29 with an hourly rate of \$27.05 and the Network Technician position is a grade 35 at a 2023 rate of \$31.09; and

WHEREAS, the Information Technology department has funds available in the current 2023 budget to fund the position; now, therefore, be it

RESOLVED, the position of Network Technician (Grade 35 of CSEA General Unit) is created and authorized to be filled as of October 1, 2023; and be it further

RESOLVED, one position of Computer Services Assistant be abolished.

Mr. Robusto moved the adoption of the resolution. Seconded by Mr. Brady. Upon roll call, all supervisors voted aye except Supervisor Johnson who was absent. The Chairman declared the resolution adopted.

RESOLUTION 448-23: AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS FOR A QUALIFIED FIRM TO ASSIST THE COUNTY WITH THE IMPLEMENTATION OF GOVERNMENT ACCOUNTING STANDARDS BOARD STATEMENT 96

Mrs. Leonard presented the following:

WHEREAS, the Government Accounting Standards Board, GASB, issued statement 96 that provides guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end-users; and

WHEREAS, the Government Accounting Standards Board requires that statement 96 be fully implemented for fiscal years beginning after June 15th, 2022; and

WHEREAS, the County does not have an adequate amount of accounting staff to implement each requirement of GASB statement 96; and

WHEREAS, following discussions with the Finance Committee, the County Auditor, and County Treasurer, it has been decided that it is in the best interest of the County to seek a firm that has the knowledge and ability to assist in the implementation of GASB statement 96; now, therefore be it

RESOLVED, that the Board of Supervisors hereby authorizes the released of a request for proposals seeking a qualified firm to assist the County in the implementation of the requirements outlined in GASB Statement 96.

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

RESOLUTION 449-23: AUTHORIZATION TO SIGN AGREEMENT WITH SPECIAL CARE SYSTEMS, LLC, FOR SYSTEM INTEGRATION AT THE WAYNE COUNTY NURSING HOME

Mrs. Leonard presented the following:

WHEREAS, Wayne County Nursing Home (WCNH) Utilizes a resident wandering system for resident safety and security throughout the facility; and

WHEREAS, the current system that is used does not integrate with the nurse call bell system leading to additional time to respond to incidents within the facility; and

WHEREAS, WCNH has been notified by Special Care Systems, LLC (SCS), which is the sole provider and installer of the nurse call bell system that is currently installed at the Nursing Home, that the nurse call bell system can integrate with the wandering system for increased awareness and monitoring by staff when the wandering system alerts; and

WHEREAS, WCNH has received a quote from Special Care Systems LLC for a price not to exceed

\$5,488, for the integration, equipment/materials, implementation, and labor necessary to complete the project; and

WHEREAS, sufficient funds exist in the current equipment budget of WCNH to facilitate this implementation; and

WHEREAS, WCNH would like to install the increased protection and monitoring capabilities offered by this proposal at the facility; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an agreement, on behalf of the Wayne County Nursing Home, with Special Care Systems, LLC, for the integration of the resident wandering system into the nurse call bell system for an amount not to exceed \$5,488, effective September 19, 2023, to December 31, 2023, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION 450-23: ACCEPTING SECOND BID FOR TAX AUCTION SEQ #2100556

Mrs. Leonard presented the following:

WHEREAS, pursuant to Resolution No. 244-23 and later amended by Resolution No. 357-23, certain properties acquired by the County by tax deed were sold at public auction sale held June 23, 2023; and

WHEREAS, such properties sold at the public auction sale are subject to bid approval and acceptance of the Board of Supervisors; and

WHEREAS, the High Bidder for Seq. #2100556 failed to pay the balance of the purchase together with the necessary recording taxes and fee on or before the deadline of August 4, 2023 at 2:00 PM; and

WHEREAS, the Backup Bidder was contacted and is interested in said property for their bid of \$12,000; now, therefore, be it

RESOLVED, that it is the determination of the Board of Supervisors that it is in the best interest of the County to accept the following Backup bid listed below and such bid is hereby approved and accepted. The Chairman of the Board of Supervisors is hereby authorized and directed to execute a quit-claim deed, upon receipt of full payment, for said parcel, subject to approval of the form of the deed by the County Attorney, and to affix the seal of the Board of Supervisors to such deeds; and the payments required by the terms and conditions of sale:

TOWN	PROPERTY TAX#	BIDDER NAME & ADDRESS	BIDDER PRICE
LYONS	70113-00-057081	Darrell & Debra Sergent 2475 McClelland Rd Lyons, NY 14489	\$12,000

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

RESOLUTION 451-23: AUTHORIZATION TO ADVERTISE FOR SEALED BIDS FOR SALE OF COUNTY PROPERTY

Mrs. Leonard presented the following:

WHEREAS, a property located in the Town of Williamson, part of the 2023 Real Property Tax Auction, was sold to the highest bidder on June 23, 2023; and

WHEREAS, the highest bidder defaulted on the deposit and the entire purchase of the property; and

WHEREAS, the back-up bidder was contacted and is not interested in the property any longer; and

WHEREAS, the County wishes to sell this parcel by sealed bid; now therefore, be it

RESOLVED, that the Director of Real Property Tax be hereby authorized to advertise for sealed bids on the following property:

SEQ#	TOWN	TAX ID#	LOCATON
2101392	Williamson	66117-09-064519	4190 Ridge Road

and be if further

RESOLVED, that all terms and conditions adopted by Board Resolution No. 244-23 and later amended by Resolution 357-23 for the conduct of the 2023 Real Property Tax Auction will apply to these sealed bids; and be it further

RESOLVED, that the advertising shall run two times in the Times of Wayne County; and be it further
RESOLVED, that the County reserves the right to reject any and all bids; and be it further
RESOLVED, that all bids and deposits must be submitted with a Wayne County Bid Form, that will be available at the Wayne County Real Property Tax office or on the Wayne County website, on September 22, 2023; and be it further

RESOLVED, that all bids, deposits and bid forms must be submitted to the Wayne County Real Property Tax office, 16 William Street, Lyons, NY 14489, on or before October 5, 2023 at 2:00 p.m. All bids will be publicly opened and read at time outlined.

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

RESOLUTION 452-23: ACCEPTING TREASURER'S ACCOUNT OF THE ANNUAL PROPERTY TAX FORECLOSURE AUCTION AND AUTHORIZING TRANSFER OF NET PROCEEDS TO THE WAYNE COUNTY REGIONAL LAND BANK CORPORATION FOR THE 2022 AUCTION

Mrs. Leonard presented the following:

WHEREAS, Resolution 343-18 established a policy of transferring the net proceeds of the annual tax foreclosure auction to the Wayne County Regional Land Bank Corporation; and

WHEREAS, the 2022 Wayne County Tax Foreclosure Auction was held on June 30, 2022; and

WHEREAS, the time frame for winning bidders to pick up their parcels has passed and a final accounting has been completed; and

WHEREAS, the 2022 Wayne County Tax Foreclosure Auction had net proceeds of \$827,845.33; and

WHEREAS, the money was not encumbered at the end of 2022 and has fallen to the general unassigned fund balance; now, therefore be it

RESOLVED, pursuant to Resolution 343-18, the Wayne County Board of Supervisors hereby authorizes the County Treasurer to issue payment to the Wayne County Regional Land Bank Corporation in the amount of \$827,845.33, subject to the review and approval of the County Auditor; and be it further

RESOLVED, the County Treasurer is authorized to transfer \$827,845.33 from the General Fund Unassigned Fund Balance and amend the 2023 County Budget as follows:

A8755- Landbank

(Appropriations)

\$827,845.33 to.54000 Contractual Exp

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

RESOLUTION 453-23: AUTHORIZATION TO TRANSFER FUNDS WITHIN THE CAPITAL PROJECT (H) FUND

Mrs. Leonard presented the following:

WHEREAS, over the last few years the Capital Project (H) Fund has had a significant increase in funding allocated to it; and

WHEREAS, a majority of these funds have come from the American Rescue Plan (ARPA); and

WHEREAS, the ARPA rules outline that any interest earned on ARPA funds is unrestricted income to the Municipality; and

WHEREAS, as of August 31, 2023 the capital project fund has accumulated \$616,000.00 in interest income that has not been budgeted for and is not assigned to a specific Capital Project; and

WHEREAS, it is the recommendation of the County Treasurer that this interest income be allocated to the Countywide EMS project, as the County has been using General Unassigned Fund Balance to fund this important project; and

WHEREAS, when these funds are needed for the Countywide EMS project a resolution will be done to allocate them to a specific purchase; now, therefore be it

RESOLVED, that the County Treasurer is authorized to amend the Capital Project (H) Fund as follows:

H9999 - Other

(Revenue)

\$447,000.00 from .42401 Interest Earnings

H4902 - ARPA

(Revenue)
\$169,000.00. from .42401 Interest Earnings
(Appropriations)
\$616.000 to .54600.CWEMS Misc Exp

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

RESOLUTION 454-23: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH CLPS, LLC FOR THE PURCHASE AND IMPLEMENTATION OF THE TAP APP FOURDSCAPE

Mr. Verno presented the following:

WHEREAS, the Sheriff's Office was awarded the Department of Justice 2020 COPS grant funding in the amount of \$433,222.00. Those funds are to be used to improve security at schools through evidence-based school safety programs and program implementation; and

WHEREAS, the Sheriff's Office has identified a solution that provides extensive integrations within school districts' systems to allow for greater access and situational awareness in the event of a critical incident to prevent undue damage, injuries or casualties to the Public, staff, or responding entities, in addition to providing additional training tools and integration of emergency plans; and

WHEREAS, CLPS, LLC has been determined to be a sole source provider of the solution (TAP App fourDscape) and complies with Alyssa's Law and the New York S.A.V.E. legislation; and

WHEREAS, The County Purchasing Agent and County Attorney have investigated the Request of the Sheriff's Office and agree that there is justification for the Sole Source nature of the offering; and

WHEREAS, the Proposed solution will be a one-time fee of \$115,000 and additional maintenance for future years will be the responsibility of the Component school districts to be set forth in an MOU with each school district; now, therefore be it

RESOLVED, the Chairman of the Board of Supervisors is authorized and directed to execute a contract with CLPS LLC. for access, setup, and customization of the TAP App Solution for a cost of \$115,000 subject to approval by IT and the County Attorney as to form and content.

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

RESOLUTION 455-23: AUTHORIZATION TO AMEND THE 2023 SHERIFF'S OFFICE BUDGET FOR THE PURCHASE OF A TOUCHSCREEN SECURITY UPDATE TO THE BLACK CREEK INTEGRATED JAIL MANAGEMENT AND SECURITY SYSTEMS

Mr. Verno presented the following:

WHEREAS, the Sheriff's Office Jail Facility utilizes Black Creek Integrated Systems for Jail management software and security systems; and

WHEREAS, the Black Creek security system is currently operating under Windows 7 and is in need of an update to Windows 11 so that the most current up to date software and operating system is obtainable; and

WHEREAS, the Black Creek Integrated System must be updated in order for the Jail Security system to be fully functional; and

WHEREAS, the Sheriff's Office did budget for the Black Creek security systems upgrade in the 2023 Sheriff's Office operating budget, but failed to budget the appropriate amount to cover the cost for the systems update; and

WHEREAS, the additional funds needed to cover the total expense to update the Black Creek Security System is \$108,000.00; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Wayne County Sheriff's Office 2023 budget amendment in the amount of \$108,000.00; and be it further

RESOLVED, that the Wayne County Treasurer is authorized to transfer \$108,000.00 from th Unassigned General Fund balance and make the following budget amendment:

A3150 Sheriff- Jail

(Appropriations)
\$ 108,000.00 to 54475 Software

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

RESOLUTION 456-23: AUTHORIZATION TO AMEND THE 2023 SHERIFF'S OFFICE BUDGET AND PURCHASE A SECURITY CAMERA SYSTEM FOR THE SODUS POINT SUBSTATION

Mr. Verno presented the following:

WHEREAS, the Sheriff's Office Sodus Point substation currently has a security system that is outdated and not supported by the current operating systems available; and

WHEREAS, the Sheriff is desirous of upgrading the security camera system at the Sodus Point substation to ensure the safety and security of the heavily trafficked public park and waterways; and

WHEREAS, the Wayne County IT Department has been working to assist the Sheriff with determining the best camera and network infrastructure needed; and

WHEREAS, the cost for the security camera upgrade purchase and installation is approximately \$50,000.00 with the purchase of equipment and services to be procured through cooperative contracts available to the County in addition to having been reviewed by the County Purchasing Agent; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Wayne County Sheriff's Office 2023 budget amendment in the amount of \$50,000.00; and be it further

RESOLVED, that the Wayne County Treasurer is authorized to transfer \$50,000.00 from the Unassigned General Fund balance and make the following budget amendment:

A3111 Sheriff- Recreational Safety

(Appropriations)

\$ 50,000.00 to 52500 Other Equipment

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

RESOLUTION 457-23: AUTHORIZATION TO SURPLUS K9 RUBY FROM THE SHERIFF'S OFFICE K-9 UNIT

Mr. Verno presented the following:

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

WHEREAS, the Wayne County Sheriff's Office, currently has a K-9, known as "Ruby". Ruby is not responding to training, and it is the recommendation that she not be placed on patrol because of her lack of abilities and must be taken out of service; and

WHEREAS, Wayne County Sheriff's Deputy Megan King is the current handler of K9 Ruby and has offered to adopt Ruby as a family pet; and

WHEREAS; any and all costs, including veterinary costs, associated with the adoption of Ruby, will be done by Megan King; and

WHEREAS, there shall be a fee of \$1.00 paid to Wayne County by Megan King for transfer of ownership of Ruby from Wayne County to Megan King; and

WHEREAS, the Sheriff is requesting authorization to surplus K-9 Ruby, and to transfer ownership of Ruby to Megan King for the fee of \$1.00, with no costs to Wayne County taxpayers; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to surplus K-9 Ruby and to transfer ownership of Ruby to Megan King for the fee of \$1.00, with no costs to Wayne County taxpayers.

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

RESOLUTION 458-23: AUTHORIZATION TO PURCHASE A DOG FOR THE SHERIFF'S OFFICE K-9 DIVISION

Mr. Verno presented the following:

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

WHEREAS, the Wayne County Sheriff's Office, currently has a Bloodhound K-9, known as " K9 Ruby," that was donated to the Sheriff's Office in early 2023; and

WHEREAS, K9 Ruby is not responding to training. An evaluation of K9 Ruby has been conducted by the Wayne County K9 Division Supervisor and Monroe County K9 Division Supervisor, both are reporting that Ruby will not qualify for use on patrol, and must be taken out of service; and

WHEREAS, the Wayne County Sheriff has the opportunity to purchase a basic police certified K-9, to replace K9 Ruby, from TIN STAR K9, 12616 Comly Road, Winnebago, IL 61088; and

WHEREAS, TIN STAR K9 specializes in breeding and training police K-9's and have worked with law enforcement agencies across the United States, including local agencies such as New York State Police

and Monroe County Sheriff's Office; and

WHEREAS; the cost of the new K-9 will not exceed \$10,000.00, which will be paid for by donations made to the Wayne County Sheriff's Office K9 account, at no cost to County taxpayers; and

WHEREAS, the Sheriff is requesting authorization to purchase a replacement police K-9 from TIN STAR K9, Winnebago, IL, at a cost not to exceed \$10,000.00, to be paid for by the Wayne County Sheriff's Office K9 account; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to purchase a police K-9 from TIN STAR K9 Winnebago, IL, at a cost not to exceed \$10,000.00, to be paid for with Wayne County Sheriff's Office K-9 account funds, at no cost to County taxpayers.

RESOLUTION 459-23: AUTHORIZATION FOR THE DISTRICT ATTORNEY'S OFFICE TO PERMANENTLY CONTINUE ATTORNEY POSITIONS

Mr. Verno presented the following:

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) has previously awarded funding to assist county agencies and the District Attorney's Office to create or augment positions related to the new Discovery and Bail Laws; and

WHEREAS, Resolutions 333-21, 700-22 and 349-23 authorized the creation of one full-time and two part-time Assistant District Attorney positions funded with a portion of this DCJS funding; and

WHEREAS, the new Discovery Law continues to create an overwhelming burden on time, especially for Part Time ADA's; and

WHEREAS, it is anticipated but unknown if said Grant would be renewed for the 24/25 budget cycle; and

WHEREAS, the District Attorney's office wishes to continue and maintain these staff positions despite the conclusion of the grant; and

WHEREAS, creating permanent positions enhances recruitment and retention and would create a stronger and more efficient DA office to manage the increased work load; and

WHEREAS, it is in the best interest of the citizens of Wayne County to have a fully staffed office of attorneys to competently manage and prosecute crimes; now, therefore be it

RESOLVED, the Wayne County Board of Supervisors authorizes the positions created or augmented with the DCJS Discovery/Bail Reform Grant for positions via Resolutions 333-21, 700-22,349-22 be continued as part of the District Attorney's Office permanent staffing plan.

Mr. Mettler moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, all supervisors voted aye, except Supervisor Johnson who was absent. The Chairman declared the resolution adopted.

RESOLUTION 460-23: AUTHORIZATION TO CREATE AND FILL A PART-TIME VICTIM/WITNESS COORDINATOR POSITION

Mr. Verno presented the following:

WHEREAS, in New York State, the District Attorney's office is charged with ensuring the rights of crime victims; and

WHEREAS, a Victim/Witness Program Coordinator is employed and charged with helping victims understand and exercise the rights afforded to them; and

WHEREAS, the program is specifically required to inform victims of their right to apply for Office of Victim Services compensation, and assist them through that process, in order that they might recoup crime related expenses which aren't otherwise compensated, including, but not limited to, medical and counseling expenses, loss of personal property and lost wages; and

WHEREAS, in addition to providing direct service to victims and witnesses; the Victim/Witness Coordinator is solely responsible for all administrative and programmatic responsibilities of the District Attorney's Victim/Witness Program including grant writing and oversight, budget writing and oversight, submission of quarterly and annual fiscal reports and reimbursement requests, and submission of quarterly and annual program reports to the County and New York State; and

WHEREAS, the changes in New York State Discovery laws and Bail reform have increased the amount of time spent providing support and assisting victims and witnesses to understand those changes; and

WHEREAS, the creation of a part-time position will assist the program to meet the needs of those victims that are previously underserved or unserved; and

WHEREAS, this position is approved within the Management/Confidential salary structure within grade

5 to be paid at an hourly rate of \$25.78; and

WHEREAS, the Wayne County District Attorney's office has earmarked a total of \$35,000 from the Discovery grant to assist with the expense of the added position for 2023 and 2024; and

WHEREAS, in the future, the expense of the newly created position could be applied to the required 20% local match, which has currently been waived until September of 2024; now, therefore be it

RESOLVED, the Wayne County Board of Supervisors authorizes the position of Part-time Victim/Witness Service Coordinator be created and filled effective immediately; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized to transfer \$6,675 from Unassigned General Fund Balance and make the following budget amendment:

A1167 Crimes Victims Board Grants

\$6200 to 51963 Part-time Victim/Witness Coordinator

\$475 to 58200 Payments to Social Security

and be it further

RESOLVED, that the future of this position would be reviewed for need if a county cost is necessary to fund the salary.

Mrs. Leonard moved the adoption of the resolution. Seconded by Mr. Mettler. Upon roll call, all supervisors voted aye, except Supervisor Johnson who was absent. The Chairman declared the resolution adopted.

RESOLUTION 461-23: AUTHORIZATION TO CREATE A FULL TIME NETWORK TECHNICIAN POSITION IN THE INFORMATION TECHNOLOGY DEPARTMENT TO PROVIDE ASSISTANCE AND SUCCESSION FOR THE PUBLIC SAFETY COMMUNICATIONS DEPARTMENT

Mr. Verno presented the following:

WHEREAS, the Public Safety Communications Department plays an important role in providing public safety services to Wayne County; and

WHEREAS, the Public Safety Communications Department is in need of more resources for efficiency and succession to support the public safety IT and radio infrastructures; and

WHEREAS, the creation of a Network Technician position in the Information Technology Department would provide resources to assist with IT and radio infrastructure support for public safety services; now, therefore, be it

RESOLVED, the position of Network Technician (Grade 35 of CSEA General Unit) is created in the Information Technology Department and authorized to be filled as of October 1, 2023.

Mr. Groat moved the adoption of the resolution. Seconded by Mr. Rose. Upon roll call, all supervisors voted aye, except Supervisor Johnson who was absent. The Chairman declared the resolution adopted.

RESOLUTION 462-23: AUTHORIZATION TO PURCHASE MEDIXSAFE UPGRADE AND TECHNICAL SUPPORT SERVICE

Mr. Verno presented the following:

WHEREAS, Wayne County EMS utilizes safes for the storage of controlled substances, with the safes currently in use having been purchased between three and six years ago; and

WHEREAS, the safes are accessed by means of a fingerprint reader, with the safe manufacturer, Bioconnect, reporting that they no longer support the fingerprint readers in the current safes, necessitating that the readers be replaced; and

WHEREAS, Bioconnect has provided a quote for the replacement of the fingerprint readers in all seven County owned MedixSafe units, along with a five-year warranty on the readers, and the availability of technical support for the duration of the five year contract period; and

WHEREAS, the readers proposed for the replacement are equipped with wifi capability, allowing for remote updating of personnel, rather than necessitating that direct connection be made at each safe at different locations across the county; now, therefore, be it

RESOLVED, that the purchase of seven fingerprint readers to retrofit the MedixSafe units utilized by Wayne County EMS is hereby authorized, at a total cost of \$9470, with service and support for the duration of the five-year warranty, with the Chairman of the Board of Supervisors authorized to sign the purchase contract, which shall be subject to the approval of the County Attorney as to form and content.

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

RESOLUTION 463-23: AUTHORIZATION TO ACCEPT DONATION FOR WAYNE COUNTY EMERGENCY MEDICAL SERVICES AND AMEND THE 2023 COUNTY BUDGET

Mr. Verno presented the following:

WHEREAS, Northeast Wayne Advanced Life Support was an independent EMS fly car service that operated for many years in the northern section of the county, manned by volunteer Paramedics; and

WHEREAS, in 2011, much of the equipment for the fly car service was transferred to the Sodus Town Ambulance, but a scholarship fund remained thereafter, which has been unused for several years; and

WHEREAS, the custodians of the scholarship fund now desire to transfer the remaining funding to the County, to further opportunities for the EMTs of Wayne County EMS to enroll in Paramedic education; now, therefore, be it

RESOLVED, that the County of Wayne hereby accepts the donation of \$10,390.57, the entire balance of funding in the Howard Hoople MD and Jack Buzzell Jr. Scholarship Fund; and be further

RESOLVED, that the Board of Supervisors hereby recognizes Carol and Bruce Lee for their decision to donate this funding to the County to assist in the training and education of Wayne County EMS personnel; and be it further

RESOLVED, that the County Treasurer is hereby authorized to make the following amendments to the 2023 County Budget:

A3625 Emergency Medical Services

(Revenue)

\$10,383.86 to .42770 Miscellaneous Revenue

(Appropriations)

\$10,383.86 to .54483 Training Seminars and Schools, Project: NEWALS Scholarship

Mr. Verno moved, seconded by Mr. Mettler to change the donation amount to \$10,390.57 as received. Motion carried. Upon roll call, the Chairman declared the amended resolution adopted.

RESOLUTION 464-23: AUTHORIZATION TO REMOVE A MEMBER FROM THE TECHNICAL DECONTAMINATION AND ASSESSMENT TEAM

Mr. Verno presented the following:

WHEREAS, the Technical Decontamination and Assessment Team (Technical Decon Team) was established pursuant to Resolution No. 490-06; and

WHEREAS, Patricia Henry is currently a member of the Technical Decon Team and has requested to be removed from the Technical Decon Team; and

WHEREAS, it is the recommendation of the Fire Coordinator to remove Patricia Henry from the Technical Decon Team; now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors hereby approves the removal of Patricia Henry from the Technical Decon Team.

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

RESOLUTION 465-23: AUTHORIZATION TO APPOINT MEMBERS TO THE TECHNICAL DECONTAMINATION AND ASSESSMENT TEAM

Mr. Verno presented the following:

WHEREAS, the Technical Decontamination and Assessment Team (Technical Decon Team) was established pursuant to Resolution No. 490-06; and

WHEREAS, at this time it is necessary to add members to the Team; and

WHEREAS, the following have expressed interest in becoming members of the Technical Decon Team:

David Corney- Walworth Fire Department

Frank Smith- South Macedon Fire Department

Matt Creamer- South Macedon Fire Department; and

WHEREAS, it is the recommendation of the Fire Coordinator that they be appointed to the Technical Decon Team; now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors hereby approves the appointments of David

Corney, Frank Smith, and Matt Creamer as Technical Decon Team members.

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

RESOLUTION 466-23: AUTHORIZATION TO TRANSFER FUNDS TO LAKE ONTARIO RESILIENCY AND ECONOMIC DEVELOPMENT (REDI) PROJECTS

Mr. Chatfield presented the following:

WHEREAS, Resolution 617-19 set up and funded capital project accounts for three separate Lake Ontario Resiliency and Economic Development (REDI) projects: Crescent Beach, Blind Sodus Bay, and Port Bay; and

WHEREAS, the Blind Sodus Bay project was later split into two individual projects, dividing the original \$12,170,000 appropriation into an \$8,170,000 Eastern Barrier Bar Project and a \$4,000,000 Western Bluff Project; and

WHEREAS Resolution 431-23 awarded the Eastern Barrier Bar Project at a projected cost of \$9,699-81700,124, \$1,500,124 over the original \$8,170,000 appropriation; and

WHEREAS, Wayne County is solely responsible to fund any cost overruns in these REDI projects; now, therefore be it

RESOLVED, that the Wayne County Treasurer is hereby authorized to transfer \$1,500,124 from unassigned general fund balance and make the following budget amendments:

A9950 Transfer to Capital Fund Project

(Appropriations)

\$1,529,124 to 52784 REDIB

H3909 NYS Lake Ontario REDI Program

(Revenue)

\$1,529,124 to 45031 REDIB

(Appropriations)

\$1,529,124 to 52000 REDIB

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

RESOLUTION 467-23: AUTHORIZATION TO TRANSFER VEHICLES TO VARIOUS DEPARTMENTS AND DECLARE VEHICLES SURPLUS IN THE PUBLIC WORKS DEPARTMENT

Mr. Chatfield presented the following:

WHEREAS, the following vehicles are being declared surplus by the DSS department and are being requested to be transferred to other departments as noted:

2016 Ford Taurus (DSS)	VIN IFAHP2D85GG157413	To Buildings and Grounds
2018 Dodge Caravan (DSS)	VIN 2C4RDGBG2JR255190	To Sheriff

and;

WHEREAS, the following vehicles are being declared surplus and are no longer of use to any County department:

2012 Chevrolet Impala (B&G)	VIN 2G1WF5E30C1269223	AUCTION
2011 Ford F150 (SO)	VIN 1FTFW1EF0BFA37089	AUCTION

now, therefore be it

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

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

RESOLUTION 468-23: AUTHORIZATION TO TRANSFER FUNDS TO CONSTRUCTION PROJECT IN THE HIGHWAY DEPARTMENT

Mr. Chatfield presented the following:

WHEREAS, in accordance with Section 115 of the Highway Law, the Superintendent of Public Works

has prepared a supplemental project statement of proposed work for the following project for replacement on Lake Road and on Whitbeck Road:

23-96 Guiderail Replacement Project \$50,000

now, therefore, be it

RESOLVED, that the Project Statement prepared by the Superintendent is 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 Statement and be it further

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

D51122 Road Construction

(Appropriations)

\$50,000 from .52600 Highway Construction to the following CHIPS Project

\$50,000 to .52673 23-96 Guiderail Replacement Project

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

RESOLUTION 469-23: AUTHORIZATION TO AMEND 2023 HIGHWAY BUDGET FOR SECURITY MEASURES AT THREE HIGHWAY PATROL FACILITIES

Mr. Chatfield presented the following:

WHEREAS, the Wayne County Highway Department operates Highway Patrol facilities in Savannah, Wallington and Macedon; and

WHEREAS, these facilities do not have any security cameras or door access controls to protect equipment, materials, or building contents; and

WHEREAS, the IT Department has suggested camera, network and access control elements to be installed to improve the security at each facility; and

WHEREAS, the items proposed can be purchased on municipal contracts at an approximate cost of \$18,400; now, therefore be it

RESOLVED, that the Wayne County Treasurer is authorized to transfer \$18,400 from the unassigned D fund balance and amend the 2023 Highway Budget as follows:

D 5110 – Maintenance of Roads and Bridges

(Appropriations)

\$18,400 to .54407 - Building Maintenance and Repair

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

RESOLUTION 470-23: AUTHORIZATION TO FUND THE WAYNE COUNTY EMERGENCY MEDICAL SERVICES LYONS STATION BUILDING PROJECT

Mr. Chatfield presented the following:

WHEREAS, The Wayne County Board of Supervisor adopted Resolution No. 441-22 approving the Wayne County Emergency Medical Services Transporting Agency Phase One Capital Plan that included the construction of two facilities; and

WHEREAS, the building plans and bid specifications are complete and have been issued for bid for the main facility that will be located on the Wayne County Campus in the Town of Lyons; and

WHEREAS, the project is estimated to start in October 2023 and will need to be fully funded; and

WHEREAS, the Deputy Superintendent of Public Works with assistance from Labella Associates has developed the building cost estimate of \$5,958,680.00 that includes direct construction cost, project management, construction administration, temporary utilities, furnishings and appliances. Other miscellaneous costs and a project contingency bring the total current County Wide EMS project cost to \$8,014,281; and

WHEREAS, the Deputy Superintendent of Public Works highly recommends carrying at minimum a 5% project contingency for any unforeseen issues; and

WHEREAS, the Wayne County Board of Supervisor has previously approved \$2,588,319 ARPA

funding and \$950,000 of general fund transfer to the County Wide EMS project account (CWEMS) for a total allocated amount of \$3,538,319; and

WHEREAS, \$2,049,001 has been expended and/or obligated to date for project oversight, purchase of ambulances, land acquisition, design services, equipment and temporary lease payments; and

WHEREAS, an additional \$4,475,962 will be needed at this time to fully fund the Lyons facility construction cost; now, therefore be it

RESOLVED, Wayne County Board of Supervisors hereby authorizes to fully funding the project cost associated with the construction of the Wayne County Emergency Medical Services Lyons Station building project; and be it further

RESOLVED, that the County Treasurer is authorized to transfer \$4,475,962 from the Unassigned General Fund Balance, and be it further

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

A9950 Transfer to Capital Fund Projects

(Appropriations)

\$ 4,475,962 to 59711 (CWEMS – County Wide EMS)

H4902 ARPA

(Revenues)

\$4,475,962 to 45031 Interfund Transfer (CWEMS – County Wide EMS)

(Appropriations)

\$1,555,418 from 52000 Equipment & Other Cap Outlay (CWEMS – County Wide EMS)

\$75,000 to 52100 Furniture & Furnishings (CWEMS – County Wide EMS)

\$45,000 to 52549 Utilities (CWEMS – County Wide EMS)

\$255,000 to 52571 Construction Management (CWEMS – County Wide EMS)

\$193,500 to 52573 Architect/Engineer (CWEMS – County Wide EMS)

\$85,000 to 52576 Miscellaneous (CWEMS – County Wide EMS)

\$290,880 to 52583 Contingencies (CWEMS – County Wide EMS)

\$3,476,000 to 52813 General Trades (CWEMS – County Wide EMS)

\$621,000 to 52814 HVAC (CWEMS – County Wide EMS)

\$685,000 to 52815 Electrical (CWEMS – County Wide EMS)

\$265,000 to 52816 Plumbing (CWEMS – County Wide EMS)

\$15,000 to 52826 Building Permits (CWEMS – County Wide EMS)

\$25,000 to 54240 Consultants (CWEMS – County Wide EMS)

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

RESOLUTION 471-23: AUTHORIZATION TO ACCEPT BIDS AND AWARD CONTRACTS FOR THE WAYNE COUNTY EMERGENCY MEDICAL SERVICES LYONS STATION BUILDING PROJECT

Mr. Chatfield presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the Wayne County – Emergency Medical Services Lyons Station Building Project at 1527 Nye Road in the Town of Lyons; and

WHEREAS, the following bids were received by 2:00 pm on Tuesday August 22nd, 2023 and publicly opened:

CONTRACTOR	Contract A – General Construction		
	BASE BID	Firestopping Allowance GC-1 (included in Base Bid)	Unit Price CG-1 (Unsuitable Soils)
Bette & Cring Construction Group, LLC 18438 US Route 11 Watertown, NY 13601	\$4,033,000.00	\$10,000.00	\$100.00
D’Agostino General Contractor, Inc. 803 Linden Ave.	\$4,234,000.00	\$10,000.00	\$90.00

Rochester, NY 14625

DGA Builders, LLC 7612 Main St. Fishers Victor, NY 14564	\$4,560,000.00	\$10,000.00	\$80.00
DiPasquale Construction, Inc. 5138 W. Ridge Rd. Spencerport, NY 14559	\$3,885,000.00	\$10,000.00	\$85.00
Holdsworth Klimoski Construction 101 Victor Heights Parkway Victor, NY 14564	\$4,267,000.00	\$10,000.00	\$100.00
Javen Construction Co., Inc. 2575 Baird Rd. Penfield, NY 14526	\$4,125,000.00	\$10,000.00	\$96.00
Nicoletta Building Contractors, Inc. 108 Davis Parkway Clyde, NY 14433	\$3,476,000.00	\$10,000.00	\$300.00

CONTRACTOR **Contract B – Plumbing**
BASE BID

Amering and Johnston, Inc. 5121 Route 96 Shortsville, NY 14548	\$340,700.00
HMI Mechanical Systems, Inc. 17 Thurber Drive Waterloo, NY 13165	\$313,000.00
Landry Mechanical Contractors 164 Fint Hill Rd. Le Roy, NY 14482	\$265,000.00
Michael A. Ferraulio Plumbing & Heating 1600 Jay St. Rochester, NY 14611	\$367,400.00
Thurston-Dudek, LLC 291 David Parkway Ontario, NY 14519	\$296,800.00
Monroe Piping & Sheet Metal, LLC 68 Humboldt St. Rochester, NY 14609	\$380,000.00

CONTRACTOR **Contract C – HVAC**
BASE BID

Bell Mechanical Contractors, Inc. 105 Lincoln Parkway	\$760,400.00
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East Rochester, NY 14445

HMI Mechanical Systems, Inc. \$706,000.00
17 Thurber Dr.
Waterloo, NY 13165

Landry Mechanical Contractors \$693,000.00
164 Fint Hill Rd.
Le Roy, NY 14482

Michael A. Ferraulio Plumbing & Heating \$757,700.00
1600 Jay St.
Rochester, NY 14611

Nairy Mechanical, LLC \$732,700.00
105 Commercial St.
Webster, NY 14580

Pipitone Enterprises, LLC \$621,000.00
25 East Buffalo St.
Churchville, NY 14428

Monroe Piping & Sheet Metal, LLC \$769,000.00
68 Humboldt St.
Rochester, NY 14609

Leo J. Roth Corporation \$749,890.00
841 Hold Rd.
Webster, NY 14580

**Contract D – Electrical
BASE BID**

CONTRACTOR

Connors-Haas, Inc. \$779,800.00
6337 Dean Parkway
Ontario, NY 14519

Diekrow Electric, Inc. \$688,800.00
375 US Hwy 11
Marathon, NY 13803

Knapp Electric, Inc. \$716,100.00
7012 Potter Rd.
Auburn, NY 13021

O'Connell Electric Company \$970,000.00
830 Phillips Rd.
Victor, NY 14564

Concord Electric Corp. \$685,000.00
305 Pinewild Dr. Ste. 4
Rochester, NY 14606

; and

WHEREAS, Watchdog Building Partners and LaBella Associates have reviewed and vetted the low

bidders and LaBella Associates has submitted a letter of recommendation to the Wayne County Board of Supervisors to award the contracts to the following bidder's;

<u>No. 1 – GENERAL CONSTRUCTION</u>	BASE BID	Firestopping	Unit Price CG-
1 Nicoletta Building Contractors Inc 108 Davis Parkway Clyde, NY 14433	\$ 3,476,000.00	\$10,000.00	\$300.00
<u>No. 2 – PLUMBING</u>			
Landry Mechanical Contractors 164 Fint Hill Road Le Roy, NY 14482	\$ 265,000.00		
<u>No. 3 – MECHANICAL</u>			
Pipitone Enterprises, LLC 25 East Buffalo Street Churchville, NY 14428	\$621,000.00		
<u>No. 4 – ELECTRICAL</u>			
Concord Electric Corp. 305 Pinewild Dr. Ste 4 Rochester, NY 14606	\$685,000.00		

and

WHEREAS, due to the scope of work the contractors may be required to utilize subcontractors to fulfill his/her responsibility under the contract; now, therefore, be it RESOLVED, that pursuant to the recommendation of Watchdog Building Partners and LaBella Associates, the following bids be accepted;

<u>No. 1 – GENERAL CONSTRUCTION</u>	BASE BID	Firestopping	Unit Price CG-1
Nicoletta Building Contractors Inc 108 Davis Parkway Clyde, NY 14433	\$ 3,476,000.00 \$	10,000.00	\$ 300.00
<u>No. 2 – PLUMBING</u>			
Landry Mechanical Contractors 164 Fint Hill Road Le Roy, NY 14482	\$ 265,000.00		
<u>No. 3 – MECHANICAL</u>			
Pipitone Enterprises, LLC 25 East Buffalo Street Churchville, NY 14428	\$621,000.00		
<u>No. 4 – ELECTRICAL</u>			
Concord Electric Corp. 305 Pinewild Dr. Ste 4 Rochester, NY 14606	\$685,000.00		

and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the project contracts on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content; and be it further

RESOLVED: that the Wayne County Board of Supervisors authorizes the use of subcontractors if needed on this project.

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

RESOLUTION 472-23: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH LABELLA ASSOCIATES FOR CONSTRUCTION ADMINISTRATION SERVICES ON THE COUNTY WIDE EMS PROJECT

Mr. Chatfield presented the following:

WHEREAS, The Board of Supervisors approved resolution 549-22 authorizing an agreement with LaBella Associates for the design services related to the two County-Wide EMS ambulances bases; and

WHEREAS, the project bids have been accepted for the Lyons EMS station and construction is anticipated to start in October 2023; and

WHEREAS, it will be necessary for LaBella Associates to provide construction administration and limited commissioning services through the duration of the project to review submittals, address project design issues, and perform equipment commissioning; and

WHEREAS, LaBella Associates has provided a proposed cost not to exceed \$120,800; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to amend the contract and sign the proposal on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with LaBella Associates for an additional amount not to exceed \$120,800.

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

RESOLUTION 473-23: AUTHORIZATION TO ENTER INTO AGREEMENT WITH WATCHDOG BUILDING PARTNERS, LLC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE WAYNE COUNTY EMERGENCY MEDICAL SERVICES LYONS STATION BUILDING PROJECT

Mr. Chatfield presented the following:

WHEREAS; Wayne County Board of Supervisors has awarded the Wayne County Emergency Medical Services Lyons Station Building Project; and

WHEREAS, the Deputy Superintendent of Public Works recommends that it would be beneficial for Wayne County to utilize a construction management firm to assist with coordinating multiple construction trades of the project; and

WHEREAS, the Superintendent and the Deputy Superintendent of Public Works reviewed the current County On-Demand Construction Management Firms and recommends contracting with Watchdog Building Partners, LLC for said services; and

WHEREAS, Watchdog Building partners, LLC has a proven track record in Wayne County, currently has an on-demand County contract and also scored the highest on the request for qualifications proposal for construction management services; and

WHEREAS, Watchdog Building Partners, LLC has reviewed the scope of the project and the estimated total project duration and has provided the County a cost proposal for this project of \$255,000 for construction management services through August 30th, 2024 and any services beyond this construction period will be billed at the predetermined hourly rate as follows:

HOURLY BILLING RATES:

- Project Executive \$ 135
- Assistant Project Manager\$ 105
- Field Superintendent\$ 75
- Construction Administrator \$ 50

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign an agreement with Watchdog Building Partners, LLC, subject to the approval of the County Attorney as to form and content for Construction Management Services relating to the Wayne County Emergency Medical Services Lyons Station Building Project for a cost of \$255,000.00 through August 30th, 2024; and be it further

RESOLVED, that any services beyond August 30th 2024 will be charged at the predetermined hourly rates listed above.

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

RESOLUTION 474-23: AUTHORIZATION TO APPROVE CHANGE ORDERS FOR WAYNE COUNTY EMERGENCY MEDICAL SERVICES LYONS STATION BUILDING PROJECT

Mr. Chatfield presented the following:

WHEREAS, the Wayne County Emergency Medical Services Lyons building project has been awarded; and

WHEREAS, every effort will be made to avoid change orders, but it is possible that change orders may be necessary; and

WHEREAS, it is beneficial to allow the Superintendent or the Deputy Superintendent of Public Works to approve and sign change orders up to \$10,000.00 so that the project does not suffer from time delays; and

WHEREAS, that the Superintendent of Public Works shall present a monthly record of any change orders that have been approved to the Board of Supervisors; and

WHEREAS, that any change order that increases the project cost in excess of \$10,000 must be approved in advance by the Public Works Committee Chairman and the County Administrator and shall not exceed the current project budget; now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Superintendent or the Deputy Superintendent of Public Works to approve individual change orders that increase the project cost up to \$10,000 and is within the budgeted amount for said project; and be it further

RESOLVED, that any change order that increases the project cost in excess of \$10,000 each must be approved in advance by the Public Works Committee Chairman and the County Administrator and shall not exceed the current project budget.

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

RESOLUTION 475-23: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH ATLANTIC TESTING LABORATORIES FOR SPECIAL INSPECTION AND TESTING SERVICES

Mr. Chatfield presented the following:

WHEREAS, Wayne County is currently awarding contracts for the first County Wide EMS Ambulance base in the Town of Lyons; and

WHEREAS, the design and specifications require special inspections and testing to be performed during the project to ensure the quality of materials and workmanship; and

WHEREAS, the County issued an RFB for special inspection services; and

WHEREAS, the bids were due on Friday, August 11th at 2 p.m. and the County received no bids; and

WHEREAS, per the recommendation of the Purchasing Agent, the Deputy Superintendent of Public Works contacted local firms to inquire about their interest in the project; and

WHEREAS, Atlantic Testing Laboratories and Teracon Consultants have provided proposals for said services; and

WHEREAS, after reviewing the proposals and fee schedules provided by both firms, the Purchasing Agent and the Deputy Superintendent of Public Works recommend awarding a contract to Atlantic Testing Laboratories for special inspection services; and

WHEREAS, Atlantic Testing Laboratories has provided a rate schedule per their proposal dated August 18th, 2023 which included a 3.5% increase for years two and three; and

WHEREAS, the County is responsible for the costs of the inspections, and this cost is included in the overall project cost; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to enter into an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Atlantic Testing Laboratories for a contract period of Oct 1st, 2023 through September 30th, 2026 for special inspections and testing services per the rates provided in the proposal dated August 18th, 2023; and be it further

RESOLVED; that the rates for said services will be increased by 3.5% on July 1st of each following year.

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

RESOLUTION 476-23: AUTHORIZATION TO AMEND 2023 BUILDINGS & GROUNDS BUDGET FOR REPAIRS TO JAIL FIRE AND SMOKE SHUTTER DOOR CONTROLS

Mr. Chatfield presented the following:

WHEREAS, A Simplex/Johnson Controls Technician discovered during a recent repair to the Jail fire alarm system that devices that operate smoke and fire doors during a fire situation in and around the main housing unit are no longer working; and

WHEREAS, the current Firefly controls are 33 years old and are no longer available and will need to be completely replaced; and

WHEREAS, Simplex/Johnson Controls has provided a proposal under the NYS OGS Contract PT68816 for a time and materials not-to-exceed amount of \$40,038.24 to replace all 12 devices with a new controller and reprogram the fire panel as needed; and

WHEREAS, these repairs need to be made and this expense was not anticipated in the 2023 Buildings and Grounds budget; now, therefore, be it

RESOLVED, the Deputy Superintendent of Public Works is authorized to sign the proposal and proceed with the repairs to the fire and smoke shutter controls and be it further

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

A1990 General Fund Contingencies

(Appropriations)

\$40,000 from .54000 Contractual Expenses

A1615 Buildings and Grounds

(Appropriations)

\$40,000 to .54424 Equipment – Maint Contracts

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

RESOLUTION 477-23: AUTHORIZATION TO LEASE SPACE TO MOSAIC HEALTH IN WAYNE COUNTY HEALTH SERVICES BUILDING FOR DENTAL CARE SERVICES

Mr. Chatfield presented the following:

WHEREAS, Mosaic Health, formerly Rochester Primary Care Network, currently operates a dental care center at Wayne County Health Services Building located at 1519 Nye Rd, Lyons, NY with the mission to improve access to dental care; and

WHEREAS, Mosaic Health's initial lease agreement expired on August 31st 2023 and they have contacted the Deputy Superintendent of Public Works wishing to renew their lease agreement with the County; and

WHEREAS, Mosaic Health currently occupies approximately 1814 sqft of space in the building; and

WHEREAS, Mosaic Health wishes to sign a new 2 year lease agreement with the option to automatically renew up to five times with the same terms and conditions; and

WHEREAS, the lease amount is adjusted annually based on actual maintenance and repair costs from the prior year: now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a 2 year lease agreement with the option for automatic renewal up to five times, subject to the County Attorney's approval as to form and content, with Mosaic Health effective September 1st, 2023.

Mr. Robusto moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, all supervisors voted aye except Supervisor Johnson who was absent. The Chairman declared the resolution adopted.

RESOLUTION 478-23: AUTHORIZATION TO EXECUTE PROPERTY MAINTENANCE AND CLEANING AGREEMENT BETWEEN NEW YORK STATE UNIFIED COURT SYSTEM AND WAYNE COUNTY

Mr. Chatfield presented the following:

WHEREAS, the Wayne County Public Works Department provides maintenance and cleaning services to NYS Unified Courts System (NYUCS) located in the Hall of Justice at 54 Broad Street, Lyons, NY; and

WHEREAS, the NYUCS reimburses Wayne County for a portion of the cost of such services subject to a maximum reimbursable amount for each annual period of the agreement; and

WHEREAS, the current five year agreement expired on March 31st 2023; and

WHEREAS, NYUCS has submitted a Maintenance Services Agreement for a new five year period beginning April 1st, 2023 and ending March 31st, 2028; and

WHEREAS, the agreement establishes the maximum reimbursable amount of \$258,919 for the first

year period of April 1st, 2023 through March 31st, 2024; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a five year Maintenance Services Agreement with the Unified Court System for the period April 1, 2023 - March 31, 2028, subject to the County Attorney's approval as to form and content.

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

RESOLUTION 479-23: AUTHORIZATION TO LEASE SPACE TO UNITY HOUSE IN THE WAYNE COUNTY HEALTH SERVICES BUILDING

Mr. Chatfield presented the following:

WHEREAS, Unity House of Cayuga County and Wayne Behavioral Health Network (WBHN) continue to collaborate in the provision of services to mutually shared clients at the Wayne County Health Services Building located at 1519 Nye Rd, Lyons, NY; and

WHEREAS, Unity House and WBHN each find it mutually beneficial to work in close proximity to one another to enhance coordination of such services; and

WHEREAS, this arrangement is desired to be continued by both Unity House and WBHN; and

WHEREAS, the current lease agreement expired on December 31, 2022; and

WHEREAS, the lease has been maintained by the WBHN in the past and it has been recommended that the Public Works Department manage this lease going forward for consistency across the County with other leased spaces; and

WHEREAS, Unity House currently occupies approximately 292 sqft of space in the building; and

WHEREAS, Unity House wishes to sign a new 5 year lease agreement with the option to renew for an additional 5 years with the same terms and conditions as long as funding for the program continues; and

WHEREAS, the lease amount will be adjusted annually based on actual utilities, maintenance and repair costs from the prior year; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to sign a new 5 year lease agreement subject to the County Attorney's approval as to form and content, with Unity House of Cayuga County for 292 sq.ft. of office space (1 designated office) in the Wayne County Health Services Building at 1519 Nye Road, Lyons NY, with an option to renew for one additional five-year term; and be it further

RESOLVED, that the following charges will be in addition to the monthly lease fee: Unity House will be charged and billed for fees for telephone services and tolls to their exclusive extension in the office space that they occupy, at the actual monthly cost charged to WBHN by the IT Dept; and be it further

RESOLVED, that faxing services will be charged and billed at a rate of \$.25-cents per page and copying usage be charged and billed at a rate of \$.05-cents per page billed by WBHN.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, all supervisors voted aye, except Supervisor Johnson who was absent. The Chairman declared the resolution adopted.

RESOLUTION 480-23: AUTHORIZATION TO AWARD CONTRACT FOR QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP) SERVICES FOR BROWNFIELD GRANTS AWARDED TO WAYNE COUNTY

Mr. Chatfield presented the following:

WHEREAS, Resolution #290-23 authorized the release of a collaborative RFP between the Wayne County Land Bank, Economic Development and Planning Department, and Wayne Economic Development Corporation (WEDC) for the services of a Qualified Environmental Professional (QEP) for working with the agencies various EPA Brownfield grants; and

WHEREAS, Proposals were due and received on August 22nd 2023 at 2:00 PM from the following firms:

C&S Engineers, Inc
499 Co. Eileen Collins Blvd.
Syracuse, NY 13212
Score: 364/500 Points

ECS Mid-Atlantic, LLC
421 New Karner Rd. Suite 10
Albany, NY 12205
Score: 302/500 Points

Labella Associates, D.P.C.
316 South Clinton St. 2nd Floor

LiRo Engineers, Inc
690 Delaware Avenue

Syracuse, NY 13202
Score: 424/500 Points

Buffalo, NY 14209
Score: 437/500 Points

Montrose Engineering & Geology PC
1140 Valley Forge Rd, PO Box 584
Valley Forge, PA 19482
Score: 439/500 Points

Stantec Consulting Services
61 Commercial St, Suite 100
Rochester, NY 14614
Score: 390/500 Points

WHEREAS, the proposals were individually evaluated using the evaluation criteria outlined in the RFP document by all members of the Evaluation Team. Evaluation criteria consisted of the following: Cost of proposed staffing, the offeror's business and organization, the offeror's proposed management outline and project approach, and the offeror's experience and capabilities; and

WHEREAS, the Evaluation Team conducted interviews of the four highest proposers and resubmitted evaluations post-interview. Based on the evaluations, the cumulative results score the proposal from Montrose Engineering & Geology PC highest, making it the Evaluation Team's recommendation to award a contract to Montrose Environmental inc for the provision of Qualified Environmental Professional (QEP) services related to the County's Brownfield grants and projects; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the selection of Montrose Engineering & Geology PC for the provision of Qualified Environmental Professional (QEP) Services, and the Chairman of the Board of Supervisors is hereby authorized to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

RESOLUTION 481-23: AUTHORIZATION TO EXTEND CONTRACT FOR THE FORMER BUTLER PRISON MARKET STUDY AND REOI

Mr. Groat presented the following:

WHEREAS, resolution 331-23 authorized the County to execute a contract for the Former Butler Prison Market Study and Request for Expression of Interest (REOI) with MRB; and

WHEREAS, it is necessary to extend the contract with MRB since the contract expires October 31, 2023 to complete the Former Butler Prison Market Study and REOI; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an extension to the contract with MRB for the Butler Prison Market Study and REOI to expire January 31, 2024, subject to the County Attorney's approval as to form and content.

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

RESOLUTION 482-23: AUTHORIZATION TO APPROVE MODIFICATION OF AGRICULTURAL AND FARMLAND PROTECTION PLAN

Mr. Groat presented the following:

WHEREAS, the Wayne County Agricultural and Farmland Protection Plan was prepared to document the status of agriculture and farmland in Wayne County and to provide recommendations for the preservation of both farming and farmland in the county and was adopted on June 17,1997, updated in 2012; and

WHEREAS, Wayne County Resolution No. 149-22 authorized an update to the County Farmland Protection Plan with support from New York State Department of Agriculture and Markets; and

WHEREAS, the Wayne County Agricultural Development Board, which includes six statutory farm or farm business members, participated in the development of the Plan, reviewed drafts and modified the Plan in accordance with their understanding of Wayne County and from information obtained from approximately 60 people in a survey, agribusiness interviews and public meetings and workshops; and

WHEREAS, the Wayne County Agricultural Development Board has reviewed and recommended modifications to the Wayne County Agricultural and Farmland Protection Plan for consideration by the Wayne County Board of Supervisors; and

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

RESOLVED, that Wayne County approves the modification of the Wayne County Agricultural and Farmland Protection Plan, and be it further

RESOLVED, that this plan be submitted with their full support to the NYS Commissioner of Agriculture and Markets for his approval.

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

RESOLUTION 483-23: DESIGNATION OF SNOWMOBILE GRANT PROJECT ADMINISTRATOR

Mr. Groat presented the following:

WHEREAS, Wayne County routinely applies for and administers the New York State Office of Parks, Recreation and Historic Preservation (Parks) Snowmobile Trail Grant-in-Aid program funds on behalf of the Wayne County Snowmobile Clubs; and

WHEREAS, the Parks program requires the designation of a Program Administrator; now, therefore, be it

RESOLVED, that Ora Rothfuss of the Department of Economic Development and Planning be designated to serve as Program Administrator for this program.

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

RESOLUTION 484-23: DESIGNATION OF TOURISM PROMOTION AGENT

Mr. Groat presented the following:

WHEREAS, the county authorized Tourist Promotion Agency (TPA) is required to make applications and receive funds for most New York State tourism grant programs; now, therefore, be it

RESOLVED, that the Wayne County Office of Tourism and Promotion is hereby designated as the 2024 TPA 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, Christine Worth, is hereby designated as Project Director for Wayne County for 2024.

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

RESOLUTION 485-23: AUTHORIZATION TO TRANSFER FUNDS TO COVER BOARD OF ELECTIONS EXPENSES FOR THE REMAINDER OF 2023

Mr. Lasher presented the following:

WHEREAS, The Wayne County Board of Elections (BOE) cut their 2023 budget significantly not expecting major upgrades in their operations; and

WHEREAS, The Wayne County Board of Elections has been advised by the Management Assistant that a budget adjustment will be needed to cover expenses for the remainder of 2023, now; therefore be it

RESOLVED, that the Wayne County Treasurer is authorized to transfer \$100,000 from unassigned general fund balance to cover BOE operations for the remainder of 2023 and make the following budget amendment:

A1450 Board of Elections

(Appropriations)

\$100,000 to 54421 Election Expense

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

RESOLUTION 486-23: AUTHORIZATION TO CONTRACT WITH LINSTAR FOR PISTOL PERMIT CARD SERVICES

Mr. Lasher presented the following:

WHEREAS, Wayne County issues plastic pistol permit id cards; and

WHEREAS, Wayne County has purchased and maintains a plastic pistol permit ID card System from Linstar; and

WHEREAS, the Service Contract with Linstar expired in April of 2023, and

WHEREAS the Office of the County Clerk has received a service proposal from Linstar renewing the existing Service agreement for \$1,457 per year; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute an agreement for Pistol Permit Card Services on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Linstar for \$1,457 for 2023-2024; and, be it further

RESOLVED, that said agreement shall commence on November 1, 2023 for a duration of one year with an option to renew for two additional years.

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

RESOLUTION 487-23: AUTHORIZATION TO RENEW CONTRACT WITH VOIANCE LANGUAGE SERVICES

Mr. Lasher presented the following:

WHEREAS, The United States Department of Health and Human Services Title VI of the Civil Rights Act of 1964 requires recipients of Federal financial assistance to take reasonable steps to make their programs, services and activities accessible to persons with limited English proficiency; and

WHEREAS, Voiance Language Services has provided professional telephonic and video language translation services effectively and with great efficiency to Wayne County since 2019, and

WHEREAS; the people in our county who have limited English proficiency have benefited from the Voiance translation services; and

WHEREAS; it has enabled county employees of the various departments to be responsive to the needs, at times critical needs, of the citizens of our county; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a three-year contract with Voiance Language Services, LLC, 578 North Swan Road Tucson, AZ 85718 at a cost of \$25 per month fee and additional minutes after the first \$25 of services at a cost of \$1.45 per minute for telephonic or video language translation services and a cost of \$2.95 per minute for video conferencing American Sign Language translation services, subject to the review and approval of the County Attorney as to form and content.

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

RESOLUTION 488-23: AUTHORIZATION TO PAY ACCOUNT BALANCE TO VOIANCE LANGUAGE SERVICES

Mr. Lasher presented the following:

WHEREAS, Resolution 474-19 established a contractual agreement between Voiance Language Services and Wayne County on October 15, 2019 to provide telephonic and video interpreting services as required by federal law; and

WHEREAS, Voiance Language Services has provided professional telephonic and video language interpreting services effectively and with great efficiency to Wayne County since 2019; and

WHEREAS, A per minute rate was established in the contract, however the interpretation and understanding regarding the process for rate increases varied between both parties; and

WHEREAS, there is an outstanding balance of \$1,865 for services rendered in which fees did not align with the contract and would not pass through the auditing department; now, therefore be it

RESOLVED, that Wayne County is authorized to remit payment in full for the rate increases and satisfy the invoice balance that had not previously met the audit requirements during the contract period.

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

RESOLUTION 489-23: AUTHORIZATION TO RATIFY AND FUND 2024-2026 COLLECTIVE BARGAINING AGREEMENT WITH THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC, LOCAL 859 SUPERVISORY UNIT

Mr. Lasher presented the following:

WHEREAS, the County of Wayne ("County") and the Civil Service Employees Association, Inc., Wayne County Local 859, Wayne County Employee's Unit 9100 ("CSEA") Supervisory Unit commenced negotiations on May 25, 2023 for a successor agreement to the collective bargaining agreement between the County and CSEA, Supervisory covering the period of January 1, 2024 through December 31, 2026; and

WHEREAS, the negotiations were concluded on June 27, 2023 for a successor agreement covering the period of January 1, 2024 through December 31, 2026 for the CSEA Supervisory Unit; and

WHEREAS, this Board of Supervisors ("Board") has been notified that CSEA's Supervisory Unit members have voted in favor of ratification of the successor agreement; and

WHEREAS, the Board has reviewed the terms of said agreement; now, therefore be it

RESOLVED, that this Board hereby ratifies the terms of the successor agreement and authorizes the Board's Chairman to execute the Agreement on behalf of the County; and be it further

RESOLVED that this Board hereby approves the appropriation of any additional funds necessary to implement the terms of said successor agreement.

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

supervisors voted aye except Supervisor Johnson who was absent. The Chairman declared the resolution adopted.

RESOLUTION 490-23: AUTHORIZATION TO ESTABLISH 2024 WORKERS' COMPENSATION PLAN PREMIUM-EQUIVALENTS

Mr. Lasher presented the following:

WHEREAS, the County of Wayne is required to establish premium-equivalents annually for the Self-Insured Workers Compensation Plan; and

WHEREAS, said premium-equivalents shall be adopted by the Wayne County Board of Supervisors for each member of the Self-Insured Workers Compensation Plan; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby adopts the following premium-equivalents for 2024 for the Self-Insured Workers' Compensation Plan:

Wayne County	\$1,120,854	Village of Clyde	\$5,735
Town of Arcadia	\$17,580	Village of Newark	\$57,206
Town of Butler	\$27,440	Village of Palmyra	\$13,632
Town of Galen	\$7,948	Village of Red Creek	\$11,696
Town of Huron	\$18,590	Village of Sodus	\$8,805
Town of Lyons	\$24,686	Village of Sodus Point	\$8,481
Town of Macedon	\$163,790	Village of Wolcott	\$7,085
Town of Marion	\$29,458		
Town of Ontario	\$95,882		
Town of Palmyra	\$87,279		
Town of Rose	\$9,465		
Town of Savannah	\$21,838		
Town of Sodus	\$19,132		
Town of Walworth	\$38,517		
Town of Williamson	\$29,309		
Town of Wolcott	\$25,592		

Mr. Rose moved the adoption of the resolution. Seconded by Mr. Van Laeken. Upon roll call, adopted.

RESOLUTION 491-23: SETTING DATE FOR A PUBLIC HEARING ON THE PROPOSED AMENDMENT OF LOCAL LAW 5-2015, WHICH PROHIBITED THE USE OF TOBACCO AND E-CIGARETTES UPON REAL PROPERTY OWNED OR LEASED BY WAYNE COUNTY, WITHIN COUNTY OWNED VEHICLES OR PRIVATELY-OWNED VEHICLES USED FOR A COUNTY PURPOSE, AND WITHIN 25 FEET OF THE ENTRYWAYS OF COUNTY BUILDINGS, TO INCLUDE THE PROHIBITION OF THE USE OF CANNABIS PRODUCTS

Mr. Lasher presented the following:

WHEREAS, Local Law 5-2015 was adopted prohibiting the use of tobacco and e-cigarettes upon real property owned or leased by Wayne County, within County owned vehicles or privately-owned vehicles used for a County purpose, and within 25 feet of the entryways of County buildings; and

WHEREAS, the recreational use and sale of cannabis products became legal in New York State with the enactment of the "Marijuana Tax and Reform Act" in 2021; and

WHEREAS, individuals over the age of 21 may smoke or vape cannabis products wherever smoking is allowed under the Clean Indoor Air Act; and

WHEREAS, the smoking and vaping of cannabis products in outdoor spaces remains largely unregulated; and

WHEREAS, secondhand marijuana smoke contains many of the same toxic and carcinogenic chemicals found in tobacco smoke and poses a particular health risk to children and those with pre-existing medical conditions; and

WHEREAS, it is in the interest of Wayne County residents, employees, clients and visitors to prohibit the smoking and vaping of cannabis on all County-owned property; now therefore be it

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on October 17th, 2023 at 9:05 a.m. at Wayne County Emergency Management,

7376 Route 31, Lyons, New York, on the following proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK
LOCAL LAW NO.7 FOR THE YEAR 2023**

A local law amending Local Law 5-2015, entitled “Local Law Prohibiting Use of Tobacco and E-Cigarettes upon Real Property Owned or Leased by Wayne County, Within County Owned Vehicles or Privately-Owned Vehicles Used for a County Purpose, and Within 25 Feet of the Entryways of County Building”, to include the prohibition of the use of cannabis products.

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

SECTION 1: TITLE

This law shall be known as: A Local Law Prohibiting the Use of Tobacco, E-Cigarettes and Cannabis Products upon Real Property Owned or Leased by Wayne County, within County Owned Vehicles or Privately-Owned Vehicles used for a County Purpose, and within 25 feet of the Entryways of County Buildings.

SECTION 2: DECLARATION OF INTENT

The Board of Supervisors of the County of Wayne finds that:

- (I) Tobacco use on real property owned or leased by the County should be prohibited in order to:
 - A. Protect the public health, safety and general welfare by eliminating exposure to secondhand tobacco smoke and tobacco residue;
 - B. Acknowledge the need of nonsmokers, especially children, to breathe smoke-free air; recognizing the danger to public health which secondhand smoke causes including increasing the risk of exposed individuals of heart disease, cancer, emphysema, stroke chronic bronchitis, and asthma;
 - C. Recognize that the need to breathe air free of the disease-causing toxins in secondhand smoke should have priority over the desire and convenience of smoking on real property owned or leased by the County;
 - D. Recognize the right and benefit to municipal residents and visitors to be free from unwelcome secondhand smoke and tobacco residue while on real property owned or leased by the County;
 - E. Encourage the cessation of tobacco use by all persons, to promote longevity and reduce disease and its cost to society;

And further finds that:

- (II) E-cigarette use should be prohibited on county owned or leased property because:
 - A. Preliminary studies of e-cigarettes demonstrate that many brands contain toxic chemicals an carcinogens;
 - B. Most E-cigarettes contain nicotine which is a highly addictive and known neurotoxin. Moreover, the extremely high level of nicotine in some brands could place users at risk of overdosing and young children at risk of accidental poisoning;
 - C. The long-term health effects of e-cigarette use are currently unknown as are the effects on health of “secondhand’ e-cigarette vapor inhalation. Preliminary studies, however, suggest that the vapor may negatively affect the lungs and pulmonary system of users and individuals exposed to emitted vapor.
 - D. E-cigarettes are not currently regulated by the Food and Drug Administration and are not approved as a smoking cessation device. E-Cigarettes, which are often available in a variety of flavor such as cherry, bubblegum, chocolate and vanilla, may encourage the use of these devices by adolescents and others not inclined to use traditional tobacco products and ultimately lead them into a lifetime of nicotine addiction;

- E. When consumed in public places where traditional tobacco products are banned, the use of e-Cigarettes causes fear, stress, and confusion among patrons and workers alike. E-cigarettes also seriously compromise the county’s current public health laws governing indoor smoking bans and create an enforcement “nightmare” by forcing officials to distinguish between e-cigarettes and traditional nicotine delivery devices.
- F. E-cigarettes have been reported to “explode” while being charged and even while being used causing property damage due to fire and personal injury;

And further finds that”

(III) The use of cannabis products should be prohibited on county owned or leased property because:

- A. Secondhand marijuana smoke contains many of the same toxic and carcinogenic chemicals found in tobacco smoke; and
- B. The tetrahydrocannabinol (THC) contained in marijuana and responsible for its psychoactive effects can be passed to infants and children through secondhand marijuana smoke; and
- C. The fine particulate matter contained in marijuana smoke can cause people of all ages to experience lung irritation, asthma attacks and more frequent respiratory infections and can exacerbate health problems, particularly for those with pre-existing medical conditions.

SECTION 3. DEFINITIONS

As used in this Local Law

- A. “use of tobacco” or “tobacco use” shall mean the burning of a lighted cigar, cigarette, pipe, or any other matter of substance which contains tobacco, and chewing, holding in the mouth, and/or expectorating of chewing tobacco, or any other matter of substance which contains tobacco;
- B. “E-cigarette” shall mean any electronic device composed of a mouthpiece, heating element, battery, and electronic circuit that provides a vapor of liquid nicotine and/or other substances mixed with propylene glycol to the user as he or she simulates smoking. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, e-pipes, or under any other product name;
- C. “use of cannabis products” shall mean the smoking or vaping of cannabis or concentrated cannabis products as those terms are defined by §222.00 of the New York State Penal Law; and
- D. “smoking” shall mean to inhale or exhale the smoke or vapor of burning tobacco, tobacco substitute, cannabis or concentrated cannabis and also to carry burning tobacco, tobacco substitute, cannabis or concentrated cannabis in the form of a cigarette, cigar or any other smoke producing product or device including pipes as well as e-cigarettes.

SECTION 4. PROHIBITION

Tobacco, E-Cigarette and Cannabis Products use shall be prohibited:

- A. Upon all real property owned or leased by the County of Wayne;
- B. Within all County-owned vehicles or within private vehicles when being used for a county purpose except that a driver may use tobacco products in a privately-owned vehicle being used for a county purpose if the driver is sole occupant of the vehicle; and
- C. Within 25 feet of the entryways of all county-owned or county- leased buildings located within the County of Wayne, except as provided in Section 5 of this Local Law.

SECTION 5. EXCEPTIONS

The provisions of this Local Law shall not apply to:

- A. A privately-owned motor vehicle located on county property, not engaged in county service, and only when said vehicle’s doors and windows are completely closed;
- B. Roadways and rights of way located within the County road system established under Section 115 of the New York State Highway Law.
- C. Public Parklands other than any state parks and/or historic sites enumerated in 9 NYCRR 386.1 located within Wayne County, particularly Fair Haven State Park, except that the provisions of this Local Law

will apply to prevent smoking inside of Park Pavilions and other structures located within the County parks.

SECTION 6. POSTING OF SIGNS

“NO SMOKING” signs, using international symbols (where possible) shall be prominently and conspicuously posted upon the entrance to all real property where smoking is regulated by this Local Law. Said signs shall be protected from tampering, damage, removal or concealment.

SECTION 7. VIOLATIONS AND PENALTIES

- A. Smoking and vaping shall be unlawful in any area where smoking and vaping are prohibited by the provisions of this local law.
- B. Any person who violates any provision of this Local Law shall be guilty of a violation, punishable by a civil penalty not to exceed two hundred \$200.00 for a first offense nor to exceed one thousand (\$1,000.00) for a second or subsequent offense.
- C. Each violation of this Local Law shall constitute a separate and distinct offense.

SECTION 8. ENFORCEMENT

- A. For the purpose of this Local Law the term “enforcement officer” shall mean any “police officer” as the term is defined by section 1.20 subsection (34) of the Criminal Procedure Law when said officer is acting pursuant to his or her official duties. If the enforcement officer determines that a violation of this chapter occurred, such enforcement officer may prepare, file and serve an appearance ticket in conformance with the New York State Criminal Procedure Law. Said appearance ticket shall be returnable in the Local Justice Court in and for the town or village in which the violation is alleged to have occurred. If the Local Justice Court determines after a hearing that a violation of this Local Law has occurred, a penalty may be imposed by the Local Justice Court pursuant to Section 7 of this Local Law. Nothing herein shall be construed to prohibit an enforcement officer from commencing a proceeding for injunctive relief to compel compliance with this Local Law.
- B. The decision of the Local Justice Court shall be reviewable pursuant to applicable law. A defendant charged with a violation of any provision of this local law may plead guilty to the charge in open court. He or she may also submit to the magistrate having jurisdiction, in person, by duly authorized agent, or by registered mail, a statement (a) that he or she waives arraignment in open court and the aid of counsel, (b) that he or she pleads guilty to the offense charged, (c) that he or she elects and requests that the charge be disposed of and the fine or penalty fixed by the court, (d) of any explanation that he or she desires to make concerning the offense charged, and (e) that he or she makes all statements under penalty of perjury. Thereupon the magistrate may proceed as though the defendant had been convicted upon a plea of guilty in open court, provided however, that any imposition of fine or penalty hereunder shall be deemed tentative until such fine or penalty shall have been paid and discharged in full. If upon receipt of the aforesaid statement the magistrate shall deny the same, he or she shall thereupon notify the defendant of this fact, and that he or she is required to appear before the said magistrate at a stated time and place to answer the charge which shall thereafter be disposed of pursuant to the applicable provisions of law.
- C. The local justice court shall designate the Wayne County Sheriff as the official to whom payment of the imposed fine shall be remitted except that the court may designate that up to 50% of the fine imposed be remitted to the court clerk of the town or village in which the court is located.
- D. Any person who desires to register a complaint under this Local Law may do so with the Office of the Wayne County Sheriff.
- E. The Wayne County Attorney on behalf of the Wayne County Sheriff and/or the Wayne County Board of Supervisors, subsequent to any appeal having been finally determined, may bring an action to recover the civil penalty provided in Section 7 of this Local Law.

SECTION 9: EFFECT ON OTHER LAWS

This Local Law shall not be interpreted nor construed to permit tobacco, e-cigarette or cannabis products use where it is otherwise restricted by other applicable laws, including but not limited to the Indoor Clean Air Act.

SECTION 10: REVERSE PREEMPTION

This law shall be null and void on the day that Statewide or Federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent State or Federal Administrative Agency issues and promulgates regulations preempting such action by the County of Wayne. The Board of Supervisors may determine via mere resolution whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions in this section.

SECTION 11: SEVERABILITY

If any section, subsection, sentence, clause, phrase or other portion of this Local Law is for any reason declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law, which shall remain in full force and effect.

SECTION 12: INTERPRETATION

Nothing in this article shall be construed to create a cause of action by one person against another person for violation of any provision of this article.

SECTION 13: EFFECTIVE DATE

This Local Law shall take effect twenty (20) days after is shall finally have been adopted, pursuant to §27 of the Municipal Home Rule.

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

RESOLUTION 492-23: AUTHORIZE AGREEMENT TO EXERCISE A CONTRACT RENEWAL OPTION BETWEEN COUNTY OF WAYNE AND MISSION HEALTH CONCEPTS, INC.

Mr. Robusto presented the following:

WHEREAS, The Wayne County Nursing Home utilizes a contract with Mission Health Concepts, Inc. for the provision of hospital beds and other Nursing Home equipment; and

WHEREAS, the contract with Mission Health Concepts, Inc. became effective November 1, 2022 and is terminating on October 31, 2023 with the option to renew for two (2) additional one (1) year periods by mutual agreement between the parties; and

WHEREAS, the County wishes to renew the agreement for the first period of one (1) year; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisor be authorized and directed to execute a renewal letter on behalf of the Wayne County Nursing Home, subject to the County Attorney's approval as to form and content for the period November 1, 2023 – October 31, 2024 pursuant to contract specifications.

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

RESOLUTION 493-23: AUTHORIZATION TO SET PRIVATE PAY ROOM RATES FOR THE WAYNE COUNTY NURSING HOME

Mr. Robusto presented the following:

WHEREAS, the Wayne County Nursing Home sets room and board rates; and

WHEREAS, after thorough review the private and semi-private room and board rates for long term care continue as approved for 2023; and

WHEREAS, a New York State Assessment tax of 6.8% will be charged as a separate line item on the room and board monthly statement and this change will require giving all current residents a 30-day notice; and

WHEREAS, the assessment tax is tax refundable and residents paying this assessment should consult with a tax professional on proper paperwork to file with New York State, as it is a State tax credit; and

WHEREAS, after further review the Wayne County Nursing Home will remain the most affordable facility in the area; and now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Wayne County Nursing Home to continue with the following daily room and board rates effective January 1, 2023:

Semi-private rooms - \$400	plus 6.8 percent tax rate
Private rooms - \$430	plus 6.8 percent tax rate
Suite - \$625	plus 6.8 percent tax rate

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

RESOLUTION 494-23: AUTHORIZATION TO ENTER INTO AGREEMENT WITH INOVALON FOR THE WAYNE COUNTY NURSING HOME

Mr. Robusto presented the following:

WHEREAS, the Wayne County Nursing Home (WCNH) currently uses the "Choice Medicare Claims" platform from Ability/Inovalon (Inovalon) to electronically submit Medicare claims to the Centers for Medicare & Medicaid Services (CMS); and

WHEREAS, Resolution 317-23 approved the addition of the EASE Medicare interface software from Inovalon for improved Medicare Part A revenue; and

WHEREAS, the County Attorney was desirous of full review of the terms of prior agreements with Inovalon; and

WHEREAS, the County Attorney suggested an agreement that encompassed all services from Inovalon prior to the addition of EASE Medicare; and

WHEREAS, Inovalon has provided rates as follows for this agreement, with commencement date of October 1, 2023, payable on a monthly basis:

Inovalon ONE Platform with DDE Verification: \$90.04

CHOICE All-Payer Claims Management: \$276.96

Ability CHOICE Medicare File Submission: \$39.44

EASE Medicare Claims Management Pro: \$395.00

and;

WHEREAS, rates provided include the one-time setup fee for the EASE Medicare platform of \$200; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign an agreement with Inovalon, on behalf of the Wayne County Nursing Home, for an amount not to exceed \$9,820.00, effective October 1, 2023 to September 30, 2024, with automatic annual renewals for successive twelve (12) month terms until such time as the County provides at least sixty (60) days' prior written notice to Inovalon of the County's intent not to renew and to terminate services effective upon the last day of the then current term, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION 495-23: AUTHORIZATION TO CREATE FOUR FT SUPERVISING LPN POSITIONS AND ABOLISH FOUR FULL TIME LPN POSITIONS WITHIN THE WAYNE COUNTY NURSING HOME

Mr. Robusto presented the following:

WHEREAS, the Wayne County Nursing Home currently has 16 full-time LPN positions open; and

WHEREAS, the nursing home is in need of supervision over the work of Licenced Practical Nurses, Certified Nursing Assistants and other support staff; and

WHEREAS, the Wayne County Nursing Home would like to create four full time Supervising LPN positions to meet its supervisory needs; now, therefore be it

RESOLVED, that four full time LPN positions be abolished upon Board Approval; and further be it

RESOLVED, that four full time Supervisor LPN positions be created at an hourly rate in accordance with the CSEA Bargaining agreement, Grade 29; and be it further

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

E6000 NH Combined

(Appropriations)

\$75,000 from 51400 LPN

\$75,000 to 51165 Supervising LPN

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, all supervisors voted aye except Supervisor Johnson who was absent. The Chairman declared the resolution adopted.

RESOLUTION 496-23: AUTHORIZATION TO AMEND THE 2023 COUNTY BUDGET FOR THE MENTAL HEALTH DEPARTMENT COMMUNITY PROVIDERS FUNDING AND AMEND 2023 PROVIDER CONTRACTS

Mr. Robusto presented the following:

WHEREAS, the Mental Health Department Local Governmental Unit (LGU) is (or will be) in receipt of additional state aid funding awarded to community behavioral health providers, which is primarily related to Cost of Living Adjustments (COLA), other state aid award adjustments, and restorative funding, and/or state prior-year-end closeouts; and

WHEREAS the LGU now needs to make the following 2023 budget & contract amendments to reflect those additional state funds due for payment to various community providers (there is no additional county costs or additional county funds associated with this beyond what has already been authorized);

Provider Agency	Increased State Aid Amount 2023 Budget Year	Revised Total Contract Amount 2023 Budget Year
Wayne ARC	\$967	\$33,196
Aspire Hope Finger Lakes Parent Network	\$3,912	\$35,774
Lakeview Health Services	\$59,233	\$378,085
Unity House of Cayuga	\$13,644	\$147,175
Wayne Community Action Program	\$1,769	\$60,724
Wayne County Aging & Youth	\$1,330	\$45,678
Council on Alcoholism of the FL	\$31,860	\$149,673
Catholic Family Center Hannick	\$215,433	\$1,007,718
Delphi Rise	\$13,528	\$472,213
FLACRA	\$43,204	\$1,378,976
ABVI Lifeline	\$786	\$26,977

now, therefore, be it

RESOLVED that the County Treasurer is authorized to make the following 2023 County Budget amendments and the Chairman of the Board and the County Attorney are authorized to amend the 2023 contracts with the following providers as noted below to reflect the revised state aid additional funding award adjustment increases:

A4322 Community Providers

Revenue:

- \$3,912 to 43607 Aspire Hope
- \$13,644 to 43485 Unity House of Cayuga
- \$59,233 to 43614 Lakeview Health Services
- \$1,769 to 43526 Wayne Community Action Program
- \$1,330 to 43840 Wayne County Dept. Aging & Youth
- \$43,204 to 43499 Finger Lakes Area Counseling and Recovery Agency (FLACRA)
- \$31,860 to 43522 Council on Alcoholism of the Finger Lakes
- \$13,528 to 43494 Delphi Rise
- \$215,433 to 43615 Catholic Family Center Hannick Hall
- \$967 to 43478 Wayne ARC-MH
- \$786 to 43504 ABVI Lifeline

Expense:

- \$3,912 to 54686 Aspire Hope

\$13,664 to 54685 Unity House of Cayuga
\$59,233 to 54614 Lakeview Health Services
\$1,769 to 54697 Wayne Community Action Program
\$1,330 to 54534 Wayne County Dept. Aging & Youth
\$43,204 to 54604 Finger Lakes Area Counseling and Recovery Agency (FLACRA)
\$31,860 to 54690 Council on Alcoholism of the Finger Lakes
\$13,528 to 54607 Delphi Rise
\$215,433 to 54612 Catholic Family Center Hannick Hall
\$967 to 54609 Wayne ARC-MH
\$786 to 54640 ABVI Lifeline

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

RESOLUTION 497-23: AUTHORIZATION TO AMEND RESOLUTION 211-23 TO INCREASE THE FUNDING AMOUNT FOR WAYNE COUNTY VETERANS SERVICE AGENCY AND AMEND THE 2023 COUNTY BUDGET

Mr. Robusto presented the following:

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

WHEREAS, the Mental Health Department is now in receipt of an additional funding award of \$4,000 from the NYS Office of Mental Health designated for the Veterans Peer Support Programs; and

WHEREAS, the Mental Health Department awarded and established a contract with the Wayne County Veterans Service Agency for the \$100,000 funding amount via Resolution 211-23, and would now like to add the additional \$4,000 award to and amend the current contract; now therefore be it

RESOLVED the Chairman of the Board is authorized to sign a contract amendment between the Wayne County Veterans Service Department and the Wayne County Department of Mental Health to increase the funding amount by \$4,000 to a total of \$104,000 to provide Veteran Peer Support Programs; and be it further

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

A4322 Community Providers

(Revenue)

\$4,000 to 43584 Wayne County Veterans Service Agency

(Appropriations)

\$4,000 to 54693 Wayne County Veterans Service Agency

A6510 Veteran Services

(Revenue)

\$4,000 to 43305 NYS Grants

(Appropriations)

\$4,000 to 54400 Contracted Services

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

RESOLUTION 498-23: AUTHORIZATION FOR THE MENTAL HEALTH DEPARTMENT TO RENEW CONTRACT FOR 2024 WITH DONNA FLADD, PSYCHIATRIC NURSE PRACTITIONER FOR ESSENTIAL PSYCHIATRIC MEDICAL SERVICES

Mr. Robusto presented the following:

WHEREAS, The Mental Health Department-Wayne Behavioral Health Network (WBHN), due to the work force shortage situation and ongoing staff vacancies, continues to remain in need of essential additional psychiatric medical staff services in order to provide and maintain adequate medical treatment to patients; and

WHEREAS, the maintenance of adequate adult psychiatric medical services with WBHN is dependent upon the availability of licensed psychiatric medical professionals; and

WHEREAS, Donna Fladd, Psychiatric Nurse Practitioner, currently maintains a caseload of over 150 WBHN patients, and has been a member of the department's staff for several years and is currently under contract with the County to provide psychiatric services; and

WHEREAS, Ms. Fladd resigned her status as an employee in mid-December 2022 due to a long distance move out of state, and subsequently became a contract provider with the County as authorized by Resolution 664-22; and

WHEREAS, the NYS Office of Mental Health regulations allows New York State licensed professionals who are out of state to continue to practice and provide services via telehealth technology to patients who are in New York, and given Wayne Behavioral Health Network is in need of these essential psychiatric medical services, and in recognition of the ongoing work force shortage situation and the lack of availability of this type of medical professional, the Director would like to renew a contract with Donna Fladd as an independent contractor to continue to provide psychiatric nurse practitioner services to WBHN patients via telehealth as allowed under NYS Office of Mental Health regulations; and

WHEREAS, the Mental Health Director recommends that in order to maintain continuity of care of existing patients, this contracted relationship continue as these related medical services are critically necessary; now, therefore be it

RESOLVED that the Chairman of Wayne County Board of Supervisors on behalf of the County of Wayne, is hereby authorized to renew the contract, subject to the County Attorney's approval as to form and content, with Donna Fladd, Licensed Psychiatric Nurse Practitioner, at the rate of \$120/hour on a part-time per diem basis, and within budgeted funds, for the period of January 1, 2024 thru Dec. 31, 2024; and be it further

RESOLVED that subject to the passage of the 2024 County Budget, the funds for this expense will be available and are included in the department's 2024 budget.

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

RESOLUTION 499-23: AUTHORIZATION TO CONTRACT FOR PATIENT APPOINTMENT REMINDER CALL SERVICES FOR THE MENTAL HEALTH DEPARTMENT

Mr. Robusto presented the following:

WHEREAS, the Mental Health Department (MHD) has long utilized an automated patient appointment reminder call service; and

WHEREAS, the MHD needs to change vendors for this service, and in accordance with the County Purchasing Policy has obtained 4 quotes for these services (see below):

1. Intrado: \$1040 per month (6500 texts/calls) plus \$599 per month admin fee : \$1639 per month
2. Confirm IT-Vonage: \$4995 set-up fee plus \$975 annual maintenance fee, \$487.50 per month (6500 texts/calls) \$1.09 monthly fee for toll free line: total cost \$4995 set-up fee plus \$569.85 monthly fee.
3. Reminderly: \$855 per month (6500 texts/call).
4. Messagemadeeasy.com: \$600 customized set-up fee, plus \$250 carrier registration fee, plus \$50 monthly 10DLC telephone toll free line, \$520 per month (up to 6500 text messages, voice calls or emails): total cost \$850 set-up & registration fee plus \$570 per month for messages; and

WHEREAS, the Mental Health Director along with the County Purchasing Agent and the County Auditor, have reviewed the quotes and have determined that the vendor Messagemadeeasy.com is in the best interest of the county and in accordance with the County Purchasing Policy is the best choice based on providing the overall least cost; now, therefore be it

RESOLVED, the Chairman of the Board, pending County Attorney approval as to form and content, is authorized to enter into a contract with Messagemadeeasy.com to provide patient appointment reminder call services for the Mental Health Department, which includes authorization to pay a \$850.00 one-time set-up & registration fee, a \$50.00 monthly toll free phoneline fee, and a \$520.00 per month fee based on up to 6500 messages per month (up to \$0.08 per text/call/email), to begin October 1, 2023 through December 31, 2028.

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

RESOLUTION 500-23: AUTHORIZATION TO DEVIATE FROM THE PURCHASING POLICY AND PAY INVOICES FOR PATIENT APPOINTMENT REMINDER CALL SERVICES FOR THE MENTAL HEALTH DEPARTMENT

Mr. Robusto presented the following:

WHEREAS, the Mental Health Department has long utilized an electronic automated patient appointment reminder call service for patients scheduled to see psychiatric providers at Wayne Behavioral Health Network (WBHN); and

WHEREAS, the contract for this service was originally established in 2016 (including automatic annual renewals of the contract), with Televox (and the parent company West Interactive Services Corp.), and is now known as Intrado; and

WHEREAS, due to increasing client volume at WBHN, the costs associated with this service eventually rose to a level, which in accordance with the County purchasing policy, should have required that the service be competitively procured; and

WHEREAS, when the initial term of the contract commenced, Intrado was the only provider that could fulfill the patient notification requirements of the department and that integrated with the department's Electronic Medical Records (EMR) system; and

WHEREAS, upon expiration of the initial term, it was determined that another entity could be utilized that could provide a portion of the service and in the process would utilize a sub-consultant to provide services that would be potentially equivalent to the current services being received from Intrado. However, this required in-depth investigation to ensure proper functionality and capability and either determine that the solution was useable or if Intrado would be determined as a sole source provider; and

WHEREAS, in the absence of a new contract, payments were withheld awaiting the resolution of the investigation and a new contract to be executed. In the meantime, the services continued with Intrado to maintain continuity of care, patient safety concerns, and not to disrupt treatment services to patients of WBHN; and

WHEREAS, the Director of Mental Health has worked on an alternative solution to provide these services due to a recent update within the Department's EMR software that allows for greater flexibility for vendors to provide the services, that meets the needs of the department and that complies with the County's Purchasing Policy and will result in a financial savings to the County; and

WHEREAS, there remains an unpaid balance due to Intrado from 2022 and 2023 for services previously provided, and to conclude services and pay the outstanding balance due to Intrado, the process would require an authorization from the Board to deviate from the County Purchasing Policy; now, therefore be it

RESOLVED, the Board of Supervisors authorizes the deviation from the County Purchasing Policy in order to finalize and make payment of the outstanding balance due to Intrado, with the expense for this being charged within budgeted funds in the Mental Health Department's 2023 budget.

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

RESOLUTION 501-23: AUTHORIZATION TO CONTRACT WITH TEN-ELEVEN GROUP, LLC (THERAPY BRANDS) FOR THE MENTAL HEALTH DEPARTMENT'S ELECTRONIC MEDICAL RECORD SYSTEM

Mr. Robusto presented the following:

WHEREAS, the Mental Health Department is in favor of continuing to utilize the services of Ten-Eleven Group, LLC (Therapy Brands parent company) for the continued use and support of their electronic medical records system. In using their system, Ten-Eleven Group have highly configured and customized their solution to the needs and operations of the County and the Mental Health Department; and

WHEREAS, securing a new comparable service along with the transition process to a new vendor would cause undue strain to the patients and staff and disruption in agency operations, in addition to a significant amount of time, development, and staff training on behalf of the Mental Health Department and Wayne County IT, and additional capital to ensure that the solution is truly what the county needs over the course of time. The Mental Health Department has obtained authorization from the Purchasing Department and Audit Department for a non-competitive procurement process as it has been determined that it is in the best interest of the County to continue to use and contract for an additional term with Ten-Eleven Group, LLC; and

WHEREAS, the Mental Health Department has secured a quote for the continuation of service for an additional five-year contract term at a cost of \$83,220 per year for a 5-year period; now, therefore be it

RESOLVED that the Chairman of the Board is authorized to sign a contract with Ten-Eleven Group, LLC (Therapy Brands), pending County Attorney approval as to form and content, to provide comprehensive electronic medical record software services and supports, including system maintenance and upgrades, licensing, Ability billing clearinghouse services, and any included related support services

as necessary, for a cost of \$80,220.00 annually for the period of January 1, 2024 through December 31, 2028 (pending adoption of the 2024 County Budget); and be it further

RESOLVED the Director of Mental Health is authorized to have discretion over the course of the contract term to approve any additional related costs for added service orders as needed, up to an additional \$3,000 annually.

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

RESOLUTION 502-23: AUTHORIZATION TO SET SALARY FOR MENTAL HEALTH DEPARTMENT'S COMMUNITY SCHOOLS COORDINATOR POSITION

Mr. Robusto presented the following:

WHEREAS, the Community Schools Coordinator position is an existing and budgeted position in the Mental Health Department and functions in an oversight and supervisory role within the mental health school-based clinic programs, and is a lead confidential-management position associated with the department's involvement in the County Community Schools Initiative; and

WHEREAS, the current starting salary for this position has significantly fallen behind subordinate staff positions within the Mental Health Department, and the Mental Health Director has had difficulty filling this position and has not had any external applicants apply for the position; and

WHEREAS, the Director has evaluated what would be an appropriate starting salary level for this position in order to overcome the salary compression and disparity issue that currently exists, and has reviewed his findings and recommendation with the Human Resources Director; and

WHEREAS, the Human Resources Director has concurred and presented the issue along with the Director's recommendation to the Pay Plan Advisory Committee, including the County Administrator & the Human Resources Director, and all parties have approved the recommendation; now therefore be it

RESOLVED, the Board of Supervisors hereby authorizes and approves the Community Schools Coordinator position to have a starting hire salary at Pay Grade 7-Step 10, \$77,210, as defined in accordance with the 2023 Management/Confidential Wage & Salary Schedule adopted in Resolution 277-22.

Mr. Lasher moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, all supervisors voted aye except Supervisor Johnson who was absent. The Chairman declared the resolution adopted.

RESOLUTION 503-23: AUTHORIZATION TO ABOLISH ONE NURSE PRACTITIONER FULL-TIME POSITION, CREATE ONE NURSE PRACTITIONER PART-TIME POSITION, AND AMEND THE 2023 COUNTY BUDGET FOR THE MENTAL HEALTH DEPARTMENT

Mr. Robusto presented the following:

WHEREAS, the Mental Health Department currently has a high volume of adult patients who are in need of psychiatric & addiction medical treatment and medication management services; and

WHEREAS, the department as a result of the professional staff shortage crisis, has experienced significant difficulty in recruiting and filling various licensed professional positions, including medical staff, and the situation has resulted in a significant strain on the daily operations of the department including medical services related to patient care; and

WHEREAS, the Director of Mental Health has the opportunity to hire a candidate who is a fully trained and licensed Family Nurse Practitioner, and will soon be graduating and becoming credentialed as a Nurse Practitioner; and

WHEREAS, this position will be funded with funds that are sufficiently available in the department's personal services budget and as a result of abolishing a vacant full-time nurse practitioner position, which will also result in additional budgetary savings from this change; and

WHEREAS, in addition, this position, along with state aid, will generate sufficient revenue from fees for services to cover the costs associated with the position; and

WHEREAS, the Director of Mental Health is requesting that the Board authorize the creation of a part-time Nurse Practitioner position and set the hourly salary at \$120/hour, which is the current and appropriate comparable rate for other like positions in the department, and this rate has been approved by the Human Resource Director; and

WHEREAS, the County Administrator has also reviewed and approved this proposal; now therefore, be it

RESOLVED, that the Board of Supervisors authorizes that one full-time nurse practitioner position be

abolished; and one Confidential Management Position in title of Nurse Practitioner part-time be created in the Mental Health Department, and that the salary for this position be set at \$120 per hour, and that the Mental Health Director is authorized to hire and fill this position effective October 1, 2023; and be it further RESOLVED, the Treasurer is authorized to make the following 2023 County Budget amendment, which will be sufficient to fund the position for the remainder of 2023:

Account No. A4300 – Behavioral Health

(Appropriations)

\$35,000 from 51529.M4120 Nurse Practitioner

\$35,000 to 51598.M2120 PT Nurse Practitioner

Mrs. Leonard moved, seconded by Mr. Lasher to remove the word ‘psychiatric’ from the title of Nurse Practitioner Part-Time. Motion carried. Upon roll call, the Chairman declared the amended resolution adopted.

RESOLUTION 504-23: AUTHORIZATION TO EXECUTE CONTRACT WITH SHAWN FALLO TO PROVIDE RELATED SERVICES TO PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS FOR WAYNE COUNTY PUBLIC HEALTH

Mr. Robusto presented the following:

WHEREAS, the County is required to contract for approved special education services or programs pursuant to Section 4410 of the Education Law; and

WHEREAS, Shawn Fallo has been approved by the New York State Education Department to provide Related Services to preschool children with handicapping conditions; and

WHEREAS, Wayne County Public Health wishes to contract with Mr. Fallo for the provision of Related Services for the period of September 1, 2023 to June 30, 2024 for the following services and rates:

Occupational Therapy - \$80/.5hr;

Group (up to 5) - \$50/.5hr;

Coordination of Services - \$50/.5hr

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract, and sign any future contract amendments, with Shawn Fallo to provide Related Services to preschool children with handicapping conditions for the above listed services and rates for the period of September 1, 2023 to June 30, 2024, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION 505-23: AUTHORIZATION TO EXECUTE CONTRACT WITH KELLY L. FERRENTE TO PROVIDE RELATED SERVICES TO PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS FOR WAYNE COUNTY PUBLIC HEALTH

Mr. Robusto presented the following:

WHEREAS, the County is required to contract for approved special education services or programs pursuant to Section 4410 of the Education Law; and

WHEREAS, Kelly L. Ferrente has been approved by the New York State Education Department to provide Related Services to preschool children with handicapping conditions; and

WHEREAS, Wayne County Public Health wishes to contract with Ms. Ferrente for the provision of Related Services for the period of June 1, 2023 to June 30, 2024 for the following services and rates:

Occupational Therapy - \$80/.5hr;

Group (up to 5) - \$50/.5hr;

Coordination of Services - \$50/.5hr

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract, and sign any future contract amendments, with Kelly L. Ferrente to provide Related Services to preschool children with handicapping conditions for the above listed services and rates for the period of June 1, 2023

to June 30, 2024, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION 506-23: AUTHORIZATION TO SUBMIT A MOBILE HEALTH VEHICLE (CCH-2023-05) GRANT APPLICATION AND RELEASE A BID

Mr. Robusto presented the following:

WHEREAS, Wayne County Public Health (WCPH) has received a Request for Applications (RFA) for a Mobile Health Vehicle (CCH-2023-05) from Health Research, Inc.; and

WHEREAS, based on the short timeline set forth within the requirements, the normal grant process approvals had to be expedited to provide the County the opportunity to apply for and use these funds; and

WHEREAS, WCPH has submitted an application for this grant that was due on August 25, 2023 with approval of the Health and Medical Committee; and

WHEREAS, if awarded, WCPH would receive up to \$384,000 to purchase a Mobile Health Vehicle; to provide clinical and non-clinical services to populations that are experiencing COVID-19 health disparities within CDC priority populations within rural areas; and

WHEREAS, the RFA was submitted with initial quotes to provide an estimate for the Granting agency; and

WHEREAS, in order for the County to be compliant with the Grant requirements (when and if awarded), the Purchasing Department upon approval from the Health and Medical Committee has released a Bid for a Mobile Health Vehicle based on the requirements contained within the RFA specifications to meet the delivery requirements set forth in the RFA; and

WHEREAS, if successfully awarded the grant funds of \$384,000, a mobile health vehicle will be purchased from the lowest responsible and responsive Bidder; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to submit a grant application for the Mobile Health Vehicle RFA (CCH-2023-05) released by Health Research, Inc and the Purchasing Agent is authorized to release a Bid for the purchase of mobile health vehicle.

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

RESOLUTION 507-23: AUTHORIZATION TO CREATE A PART-TIME TEMPORARY SOCIAL WELFARE EXAMINER POSITION FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Donalty presented the following:

WHEREAS, the Commissioner of the Wayne County Department of Social Services has accepted the resignation of multiple Social Welfare Examiners in 2023 and the multiple promotions of staff at the Department of Social Services in 2023 resulted in the hiring of 10 new Social Welfare Examiners; and

WHEREAS, with all of the needed hiring and newly hired, the Social Welfare Examiner staff with less than 1 year experience continues to be around 50%; and

WHEREAS, the DSS Intake, Undercare, and Medicaid units continue to experience a significant increase in applications and emergencies and the HEAP season is scheduled to start in September with Early Outreach and Automatic HEAP eligibility payments; and

WHEREAS, the increase of new applications and the lack of fully trained staff, in all areas, are resulting and could result in longer than acceptable waiting periods; and

WHEREAS, the Department of Social Services regularly assesses and adjusts staffing patterns to meet the demands of caseloads, but the lack of fully trained staff has made this normal course of business impossible; and

WHEREAS, the Social Welfare staff, across the board, is working overtime in an attempt to keep current and process cases; now, therefore be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to hire a part-time, temporary Social Welfare Examiner at job rate for a period not to exceed 26 weeks and 20 hours per week to primarily assist with HEAP but with additional duties as otherwise assigned.

Mr. Lasher moved the adoption of the resolution. Seconded by Mr. Robusto. Upon roll call, all supervisors voted aye except for Supervisor Johnson who was absent. The Chairman declared the resolution adopted.

ANNOUNCEMENT

Following the close of the meeting, department heads and supervisors were asked to stay for a recognition brunch for department heads.

The Chairman announced the next meeting of the Wayne County Board of Supervisors for October 17, 2023 at 9 a.m. at the Wayne County Emergency Management Office.

ADJOURNMENT

Mrs. Leonard motioned to adjourn at 10:02 a.m. Mr. Mettler second. Carried.

Kelley P. Loveless, Clerk
Wayne County Board of Supervisors
