

15th Day
Tuesday, September 20, 2022

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

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

Upon roll call, all Supervisors were present.

APPROVAL OF MINUTES:

Mr. Lasher moved, seconded by Mr. Robusto, to waive the reading of the minutes of the August 8, 2022 meeting. Upon roll call, carried.

COMMUNICATIONS

The County Auditor's Accounts Payable Report for monthly utilities, miscellaneous payments including the August 31, 2022 warrants for accounts payable, totaling \$3,407,540.71 was received and filed.

The Sheriff's Office Cash Receipts Report dated August 19, 2022 totaling \$15,779.11 was received and filed.

A copy of Yates County Resolution 314-22 Proposing the Repeal or Amendment of Election Laws In So Far As They Adversely Affect Smaller Counties was received and filed.

A copy of Seneca County Resolution 187-22 Appointment of Finger Lakes Workforce Investment Board Member (Steve Clemenson) was received and filed.

A copy of Ontario County Resolution 492-22 Approval of Administrative Agreement with the Finger Lakes Workforce Investment Board was received and filed.

A copy of an Application for Real Property Tax Exemption on Form RP-412-a with attached PILOT agreement was received from Harris Beach, PLLC and the Wayne County Industrial Development Agency for the Maxpro, LLC Project with Optimax Systems, Inc., dated August 9, 2022, for property located within the Town of Ontario.

A letter was received from NYS Homeland Security and Emergency Services announcing an award of \$971,579 under the New York State 2021 and 2022 Statewide Interoperable Communications Grant Program.

A letter was received from NYS Homeland Security and Emergency Services announcing an award of \$186,856 under the New York State 2021-22 Public Safety Answering Points Operations Grant Program.

A letter was received from NYS Homeland Security and Emergency Services announcing an award of \$172,413 under the FY2022 Domestic Terrorism Prevention (DTP) Grant Program.

A letter was received from NYS Parks, Recreation and Historic Preservation announcing that Shipley-Teats House located at 7470 Lake Avenue Williamson, NY will be considered by the New York State Board for Historic Preservation at their next meeting September 8, 2022, for nomination to the National and State Registers of Historic Places.

Chairman Eynor appointed Lindsey Gerstenslager as the Wayne County Representative for the NYS Department of Environmental Conservation's Regional Advisory Committee for the State's Open Space Conservation Plan.

Mr. Donalty moved, seconded by Mrs. Bender, to waive the reading of the September, 2022 Communications. Upon roll call, carried.

PROCLAMATIONS

4-H participant Ethan Smith read the proclamation for the 2022 Cornell Cooperative Extension and National 4-H week, October 2nd – 8th, 2022.

Mr. Verno read the proclamation for Sheriff's Week, September 18th – 24th, 2022. Sheriff Rob 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.

PUBLIC HEARING: REAPPORTIONMENT OF THE BOARD OF SUPERVISORS

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

The Clerk read the following notice of public hearing:

COUNTY OF WAYNE

NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on Tuesday, September 20, 2022, at 9:05 a.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

COUNTY OF WAYNE – STATE OF NEW YORK

A local law relating to the reapportionment of the Board of Supervisors of the County of Wayne.

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

SECTION 1. LEGISLATIVE INTENT

The Wayne County Board of Supervisors having heretofore enacted local laws implementing adjusted weighted voting plans for simple majority votes and two-thirds majority votes, and since those enactments the 2020 Federal Census having been completed, the Wayne County Board of Supervisors did pursuant to Section 10 of the Municipal Home Rule Law prepare revised plans, utilizing 2020 population statistics.

SECTION 2. LEGISLATIVE AUTHORITY

This local law is enacted pursuant to the provisions of Municipal Home Rule Law Section 10 (1) (a) (13).

SECTION 3. ADJUSTED WEIGHTED VOTING PLAN (SIMPLE MAJORITY)

The apportionment of the voting strength of each of the members of the Wayne County Board of Supervisors as determined by utilization of the 2020 Federal Census shall be as follows upon any vote requiring a simple majority vote:

Arcadia	29
Butler	4
Galen	10
Huron	4
Lyons	13
Macedon	20
Marion	10
Ontario	23
Palmyra	16
Rose	5
Savannah	4
Sodus	18
Walworth	20
Williamson	15
<u>Wolcott</u>	<u>9</u>
TOTAL:	200

A total of 101 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a simple majority vote.

SECTION 4. ADJUSTED WEIGHTED VOTING PLAN (TWO-THIRDS MAJORITY)

The apportionment of the voting strength of each of the members of the Wayne County Board of Supervisors as determined by utilization of the 2020 Federal Census shall be as follows upon any vote requiring a two-thirds majority vote:

Arcadia	29
Butler	4
Galen	10
Huron	4
Lyons	13
Macedon	20
Marion	10
Ontario	23
Palmyra	16
Rose	5
Savannah	4
Sodus	18
Walworth	20
Williamson	15
<u>Wolcott</u>	<u>9</u>
TOTAL:	200

A total of 134 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a two-thirds majority vote.

SECTION 5. EFFECT OF OTHER LAWS OR ACTS

Local Law No. 3-2011 and any other law, ordinance, resolution or other act of the Wayne County Board of Supervisors relating to reapportionment is herein and hereby superseded.

SECTION 6. SEPARABILITY

If any clause, sentence, paragraph or section of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph or section thereof directly involved in the proceeding in which such adjudication shall have been rendered.

SECTION 7. EFFECTIVE DATE

This local law is subject to referendum on petition pursuant to Municipal Home Rule Law Section 24 (2) (j). This local law shall take effect 45 days after its adoption pursuant to Municipal Home Rule Law Section 24(1), subject to the provisions thereof.

PRESENTATIONS

Timothy Winderl—Government and Community Relations Representative from NYSE&G/RG&E came before the Board to update them on the consolidated meter update program that was authorized by the State in 2020. The change will allow for digital communications in the reading of utility meters. At this time utility poles in the region are being updated to allow for the reading of digital meters. Digital meters will be placed at all residential and commercial properties. Customers will receive notice, prior to a utility representative coming to their home/business to do the replacement of their current meter; this will disrupt service at the property for approximately 10 minutes. The change will allow for the monthly actual, not estimated, reading for utility bills, and the customers to be provided with a power usage readout upon request. Under the digital system NYSE&G/RG&E will have the ability to stop and restart electrical service in homes/buildings from their office. Open houses with information on the new digital system are scheduled for November 9th and 10th throughout the County. There is no charge to the customer for the changeover in meters.

Wayne County Museum Representatives Rhea Hayes and Linda Stevenson distributed copies of the book 'A Jail Among Us' written by former Wayne County Museum Director, Larry Ann Evans. Mrs. Stevenson noted the County Museum is run by the Wayne County Historical Society. The building the museum is located in on Butternut Street in Lyons, is owned by the County and the site of the Wayne County Jail from 1856 through 1960. Supervisors were reminded of an invitation to tour the County Museum following their November Board meeting, at which time lunch will be provided.

PRIVILEGE OF THE FLOOR:

There was no public comment for agenda items this morning.

SCHEDULED BUSINESS

RESOLUTION 451-22: AUTHORIZATION TO ACCEPT PROPOSAL AND EXECUTE CONTRACT FOR INDEPENDENT AUDIT SERVICES FOR WAYNE COUNTY

Mrs. Leonard presented the following:

WHEREAS, the County is in need of independent auditing services for fiscal year 2022; and

WHEREAS, the County's Purchasing Policy requires that a Request for Proposals (RFP) is issued for County expenditures totaling more than \$20,000 in a calendar year; and

WHEREAS, four proposals were received in response to the independent auditing services request for proposals from the following firms:

Drescher & Malecki LLP

30863 William Street, Suite 5,
Cheektowaga, New York 14227
2023 Cost: \$88,500
2024 Cost: \$90,270
2025 Cost: \$92,075
Cumulative Score: 3770 / 5000 points

Mengel Metzger Barr & Co. LLP

100 Chestnut Street, Suite 1200
Rochester, New York 14604
2023 Cost: \$99,650
2024 Cost: \$103,375
2025 Cost: \$107,725
Cumulative Score: 3704 / 5000 points

Bonadio & Co., LLP

171 Sully's Trail
Pittsford, New York 14534
2023 Cost: \$102,900
2024 Cost: \$108,400
2025 Cost: \$113,400
Cumulative Score: 4076 / 5000 points

PKF O'Connor Davies, LLP

500 Mamaroneck Ave,
Harrison, New York 10528

2023 Cost: \$97,000
 2024 Cost: \$99,650
 2025 Cost: \$103,300
 Cumulative Score: 3572 / 5000 points

WHEREAS, an evaluation committee consisting of the County Auditor, County Treasurer, Interim Commissioner of the Department of Social Services, Director of the Behavioral Health Department, and the Deputy Director of the Wayne County Behavioral Health Department/Compliance Officer evaluated the four proposals for experience providing similar services within New York State, experience with Nursing Home audits, proposed work plan to accomplish required services, as well as other criteria listed in the RFP; and

WHEREAS, based on the scoring of the evaluation committee members, and the Purchasing Department's evaluation of the pricing provided by the firms, cumulative results score Bonadio & Co., LLP proposal highest, making it the evaluation team's recommendation to contract with Bonadio & Co., LLP to provide the County's independent auditing services for the fiscal year 2022, with the option to renew for fiscal years 2023 and 2024; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the selection of Bonadio & Co., LLP to provide the independent auditing services to the County at the costs previously stated, 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. Chatfield moved the adoption of the resolution. Seconded by Mr. Kolczynski. Upon roll call, adopted.

RESOLUTION 452-22: AUTHORIZATION TO TRANSFER FUNDS FROM THE CONTINGENT ACCOUNT TO THE LIABILITY AND CASUALTY RESERVE

Mrs. Leonard presented the following:

WHEREAS, the County Attorney's Office had budgeted \$50,000 for 2022 for the Liability and Casualty line item (A19314.54998) from which repair of County owned vehicles are paid; and

WHEREAS, the County has expended \$49,349 from this line item through September 1, 2022; and

WHEREAS, the County Attorney believes that an additional \$35,000 will be required for the remainder of 2022; now therefore be it

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

A1990- CONTINGENT FUND GEN:
 \$35,000 from .54000 Contractual Expense
 A1931 – LIABILITY & CASUALTY RESERVE
 \$35,000 to .54998 Liability & Casualty Reserve

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

RESOLUTION 453-22: AUTHORIZATION TO PURCHASE A WIDE FORMAT PRINTER FOR THE PRINTING AND SCANNING OF GIS AND OTHER MAPS

Mrs. Leonard presented the following:

WHEREAS; the county has an American Rescue Act funded project to convert all county maps from AutoCAD to the ESRI GIS environment; and

WHEREAS, the county will have a need to print color maps as well as scan maps into the system. And;

WHEREAS, the current wide format printer is twelve years old, does not have color capability and is end of life; now, therefore, be it

RESOLVED, the Director of Information Technology is authorized to expend ARPA funds from the AutoCAD map conversion project to purchase a wide format printer from Toshiba Business Solutions for a not to exceed amount of \$27,000 using Omnia contract R191103.

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

RESOLUTION 454-22: ESTABLISHING TOWN EQUALIZATION RATES FOR 2023 COUNTY TAXES

Mrs. Leonard presented the following:

RESOLVED, pursuant to Section 804 of the Real Property Tax Law, that the following rates recommended by the County Finance Committee of the Wayne County Board of Supervisors are hereby adopted and established as the County Equalization rates for the towns in Wayne County for the year 2022 to affect the 2023 County taxes:

Arcadia	69.00	Palmyra	100.00
Butler	100.00	Rose	90.00
Galen	95.00	Savannah	97.00
Huron	82.00	Sodus	81.00

Lyons	72.00	Walworth	94.00
Macedon	100.00	Williamson	100.00
Marion	71.00	Wolcott	100.00
Ontario	94.00		

And be it further

RESOLVED, in accordance with the provision of subdivision 2 of Section 804 of the Real Property Tax Law, that within five (5) days of the date of the adoption of this resolution, the Clerk of the Board, shall transmit to each town, on a form prescribed by the State Board of Real Property Services, a written notification of the County equalization rate established for each town.

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

RESOLUTION 455-22: AUTHORIZATION TO RETURN PROPERTY TO FORMER OWNER AND REFUND BUYER

Mrs. Leonard presented the following:

WHEREAS, the County of Wayne obtained title to property located at 130 Hyde Parkway in the Town of Palmyra, tax ID #64111-10-361559 through a Tax Foreclosure proceeding pursuant to a Treasurer's Deed that was executed on June 1, 2022; and

WHEREAS, an error was made during the title search process for this property; and

WHEREAS, a mortgage holder of 130 Hyde Parkway did not receive proper notice of foreclosure; and

WHEREAS, this will result in the county being liable for the balance of the unpaid mortgage; and

WHEREAS, after examination the County Attorney and County Treasurer believe it is in the County's best interest to return this property to the former owner, Carrie Clevenger; and

WHEREAS, John Blazey III purchased this parcel through the tax foreclosure process; and

WHEREAS, he has agreed to return title of the parcel to the county for a full refund of the bid amount of \$103,000 and the buyer's premium of \$6180.00; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a quit-claim deed conveying title of this property back to the former owner, along with any and all other required paperwork or forms for said parcel, subject to the approval of the form of the deed by the County Attorney; and be it further

RESOLVED, the County Treasurer is authorized to issue a refund to John Blazey III once all necessary documents have been filed.

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

RESOLUTION 456-22: AUTHORIZATION TO WRITE OFF OUTSTANDING TAXES

Mrs. Leonard presented the following:

WHEREAS, resolution 318-21 authorized the transfer of parcel #62111-00-212778, more commonly known as the Rando Factory, to the Wayne County Regional Land Bank Corporation after the County completed tax foreclosure proceedings on the parcel; and

WHEREAS, the Wayne County Regional Land Bank Corporation did not take ownership of this parcel until January 19, 2022; and

WHEREAS, the Wayne County Regional Land Bank Corporation is tax exempt from Real Property taxes upon the date of transfer; and

WHEREAS, Wayne County was the owner of record from June 15, 2021 when the foreclosure action was completed until January 19, 2022 when the Land Bank took ownership; and

WHEREAS, the 2022 Town and County tax bill needs to be written off since the County cannot pay itself for the unpaid taxes; now therefore be it

RESOLVED, the Wayne County Board of Supervisors authorizes the 2022 Town and County tax bill for parcel #62111-00-212778 to be written off in the amount of \$ 64,372.78; and be it further

RESOLVED, that the Wayne County Regional Land Bank is responsible to pay the WWTP Capital Charge of \$240.00 which must be paid within 30 days of the date of this resolution with no interest.

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

RESOLUTION 457-22: AUTHORIZATION TO ENTER INTO AGREEMENT WITH MONROE COUNTY MEDICAL EXAMINERS OFFICE FOR THE PERFORMANCE OF AUTOPSY SERVICES

Mr. Verno presented the following:

WHEREAS, the contract for Autopsy Services with the Monroe County Medical Examiner's Office expired at the end of 2021; and

WHEREAS, Monroe County would like to contract with Wayne County for 2022 for Autopsy Services; and

WHEREAS, the Monroe County Medical Examiner's Office has notified Wayne County of its rate structure for 2022; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to

execute a one year contract for 2022 with the Monroe County Medical Examiner's Office for Autopsy Services, subject to the approval of the County Attorney as to form and content with no minimum number of autopsies at the rate of \$2,800 per autopsy and \$2,100 per Blood and Description exam.

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

RESOLUTION 458-22: AUTHORIZATION TO ADOPT NEW CORONER'S FEE SCHEDULE FOR BODY REMOVAL AND TRANSPORTATION SERVICES AND AUTHORIZATION OF CONTRACTS WITH WAYNE COUNTY FUNERAL HOMES AND CONTINGENT COUNTIES

Mr. Verno presented the following:

WHEREAS, resolution 94-22 duly enacted on February 15, 2022 authorized contracts with various funeral homes within Wayne County and contingent counties for body removal and transportation services; now therefore be it

RESOLVED, that the removal and transportation fee for funeral directors on Coroner cases be set at \$425.00, plus actual cost of body bag as needed, for transport to the morgues at Newark-Wayne Community Hospital, Clifton Springs Hospital or the Monroe County Medical Examiner's Office effective January 1, 2023. The County will not reimburse for mileage; and be it further

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

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute contracts with the various funeral homes within Wayne County with contingent counties, subject to the County Attorney's approval as to form and content for the period January 1, 2023 through December 31, 2023.

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

RESOLUTION 459-22: AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR PREVENTIVE DIAGNOSTIC IMAGING AND ULTRASOUND SERVICES FOR THE WAYNE COUNTY SHERIFF'S OFFICE JAIL FACILITY

Mr. Verno presented the following:

WHEREAS, the Sheriff is requesting the County of Wayne enter into an agreement between the County of Wayne and Preventive Diagnostics imaging and ultrasound services for the inmate population from June 1st, 2022 thru May 31st, 2024; and

WHEREAS, the terms of the contract shall be automatically renewed for a successive two (2) year term as stated in the agreement; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to enter into an agreement with Preventive Diagnostic imaging effective June 1st, 2022 thru May 31st, 2024, upon review and approval by the County Attorney as to form and content.

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

RESOLUTION 460-22: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE UNIFIED COURT SYSTEM FOR COURT SECURITY SERVICES AT THE HALL OF JUSTICE

Mr. Verno presented the following:

WHEREAS, the County of Wayne has entered into an annual agreement with the New York State Unified Court System for the provision of Court Security services at the Hall of Justice for several years; and

WHEREAS, the current agreement with the Unified Court System expired at the end of the New York State fiscal year, March 31st, 2022; and WHEREAS, a new agreement with the Unified Court System for the time period of April 1st, 2022 through March 31st, 2023, is ready to be executed; and

WHEREAS, said agreement covers the salaries and benefits for the Wayne County Sheriff's Office Court Security Officers assigned to the Hall of Justice, with the total reimbursement agreement amount up to \$752,027; now, therefore be it

RESOLVED, that the Sheriff and the Chairman of the Board of Supervisors are hereby authorized to sign an Agreement with the New York State Unified Court System for the reimbursement amount up to \$752,027, for the provision of Court Security Services at the Hall of Justice for the time period of April 1st, 2022, through March 31st, 2023, upon review and approval of the County Attorney as to form and content.

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

RESOLUTION 461-22: AUTHORIZATION TO SIGN AGREEMENT WITH WAYNE FINGER LAKES BOCES FOR ONE DEPUTY SHERIFF SCHOOL RESOURCE OFFICER

Mr. Verno presented the following:

WHEREAS, Wayne Finger Lakes BOCES, hereinafter referred to as BOCES, is desirous to enter in an agreement with the County of Wayne and Wayne County Sheriff to provide one

(1) full-time Deputy Sheriff School Resource Officer (SRO), funded by BOCES, which shall include salary, fringe benefits, vehicle expenses, uniforms, training, administrative charge and other related expenses for 12 months of the school year; and

WHEREAS, BOCES is requesting an agreement with the County and Sheriff for such SRO commencing on July 1st, 2022 through June 30th, 2023; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SRO position ceases, the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with Wayne Finger Lakes BOCES for one (1) full-time Deputy Sheriff SRO, for the time period of July 1st, 2022 through June 30th, 2022 and upon review and approval of the County Attorney as to form and content.

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

RESOLUTION 462-22: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE LYONS CENTRAL SCHOOL DISTRICT FOR ONE DEPUTY SHERIFF SCHOOL RESOURCE OFFICER

Mr. Verno presented the following:

WHEREAS, the Lyons Central School District, hereinafter referred to as the District, is desirous to enter in an agreement with the County of Wayne and Wayne County Sheriff to provide the District one (1) full-time Deputy Sheriff School Resource Officer (SRO), funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training, administrative charge and other related expenses for 10 months of the school year; and

WHEREAS, the District is requesting an agreement with the County and Sheriff for such SRO commencing on January 1st 2022 through December 31st, 2022; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SRO position ceases, the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the Lyons Central School District for one (1) full-time Deputy Sheriff SRO, for the time period of January 1st 2022 through December 31st, 2022 and upon review and approval of the County Attorney as to form and content.

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

RESOLUTION 463-22: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE CLYDE SAVANNAH CENTRAL SCHOOL DISTRICT FOR ONE DEPUTY SHERIFF SCHOOL RESOURCE OFFICER

Mr. Verno presented the following:

WHEREAS, the Clyde Savannah Central School District, hereinafter referred to as the District, is desirous to enter in an agreement with the County of Wayne and Wayne County Sheriff to provide the District one (1) full-time Deputy Sheriff School Resource Officer (SRO), funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training, administrative charge and other related expenses for 10 months of the school year; and

WHEREAS, the District is requesting an agreement with the County and Sheriff for such SRO commencing on January 1st 2022 through December 31st, 2022; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SRO position ceases, the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the Clyde Savannah Central School District for one (1) full-time Deputy Sheriff SRO, for the time period of January 1st 2022 through December 31st, 2022 and upon review and approval of the County Attorney as to form and content.

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

RESOLUTION 464-22: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE NEWARK CENTRAL SCHOOL DISTRICT FOR ONE DEPUTY SHERIFF SCHOOL RESOURCE OFFICER

Mr. Verno presented the following:

WHEREAS, the Newark Central School District, hereinafter referred to as the District, is desirous to enter in an agreement with the County of Wayne and Wayne County Sheriff to provide the District one (1) full-time Deputy Sheriff School Resource Officer (SRO), funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training, administrative charge and other related expenses for 10 months of the school year; and

WHEREAS, the District is requesting an agreement with the County and Sheriff for such SRO commencing on January 1st 2022 through December 31st, 2022; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SRO position ceases, the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the Newark Central School District for one (1) full-time Deputy Sheriff SRO, for the time period of January 1st 2022 through December 31st, 2022 and upon review and approval of the County Attorney as to form and content.

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

RESOLUTION 465-22: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE SODUS CENTRAL SCHOOL DISTRICT FOR ONE DEPUTY SHERIFF SCHOOL RESOURCE OFFICER

Mr. Verno presented the following:

WHEREAS, the Sodus Central School District, hereinafter referred to as the District, is desirous to enter in an agreement with the County of Wayne and Wayne County Sheriff to provide the District one (1) full-time Deputy Sheriff School Resource Officer (SRO), funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training, administrative charge and other related expenses for 10 months of the school year; and

WHEREAS, the District is requesting an agreement with the County and Sheriff for such SRO commencing on January 1st 2022 through December 31st, 2022; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SRO position ceases, the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the Sodus Central School District for one (1) full-time Deputy Sheriff SRO, for the time period of January 1st 2022 through December 31st, 2022 and upon review and approval of the County Attorney as to form and content.

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

RESOLUTION 465-22: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE NORTH ROSE WOLCOTT CENTRAL SCHOOL DISTRICT FOR THREE DEPUTY SHERIFF SCHOOL RESOURCE OFFICERS

Mr. Verno presented the following:

WHEREAS, the North Rose Wolcott Central School District, hereinafter referred to as the District, is desirous to enter in an agreement with the County of Wayne and Wayne County Sheriff to provide the District three (3) full-time Deputy Sheriff School Resource Officers (SROs), funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training, administrative charge and other related expenses for 12 months of the school year; and

WHEREAS, the District is requesting an agreement with the County and Sheriff for such SROs commencing on January 1st 2022 through December 31st, 2022; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SROs position ceases, the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the North Rose Wolcott Central School District for three (3) full-time Deputy Sheriff SROs, for the time period of January 1st 2022 through December 31st, 2022 and upon review and approval of the County Attorney as to form and content.

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

RESOLUTION 467-22: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE RED CREEK CENTRAL SCHOOL DISTRICT FOR ONE DEPUTY SHERIFF SCHOOL RESOURCE OFFICER

Mr. Verno presented the following:

WHEREAS, the Red Creek Central School District, hereinafter referred to as the District, is desirous to enter in an agreement with the County of Wayne and Wayne County Sheriff to provide the District one (1) full-time Deputy Sheriff School Resource Officer (SRO), funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training, administrative charge and other related expenses for 10 months of the school year; and

WHEREAS, the District is requesting an agreement with the County and Sheriff for such

SRO commencing on January 1st 2022 through December 31st, 2022; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SRO position ceases, the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the Red Creek Central School District for one (1) full-time Deputy Sheriff SRO, for the time period of January 1st 2022 through December 31st, 2022 and upon review and approval of the County Attorney as to form and content.

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

RESOLUTION 468-22: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE WAYNE CENTRAL SCHOOL DISTRICT FOR TWO DEPUTY SHERIFF SCHOOL RESOURCE OFFICERS

Mr. Verno presented the following:

WHEREAS, the Wayne School District, hereinafter referred to as the District, is desirous to enter in an agreement with the County of Wayne and Wayne County Sheriff to provide the District two (2) full-time Deputy Sheriff School Resource Officers (SROs), funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training, administrative charge and other related expenses for 10 months of the school year; and

WHEREAS, the District is requesting an agreement with the County and Sheriff for such SROs commencing on July 1st, 2022 through June 30th, 2023; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SROs position ceases, the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the Wayne Central School District for two (2) full-time Deputy Sheriff SROs, for the time period of July 1st, 2022 through June 30th, 2023 and upon review and approval of the County Attorney as to form and content.

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

RESOLUTION 469-22: AUTHORIZATION TO EXECUTE A 24 MONTH AMENDMENT TO CONTRACT NO. 40757482 WITH WEST PUBLISHING FOR CONTINUED ACCESS TO WESTLAW EDGE LEGAL SERVICES, AND ADDING ONE LICENSE – REFERENCE WAYNE COUNTY CONTRACT WCC21229

Mr. Verno presented the following:

WHEREAS, pursuant to Wayne County Board approval by Resolution No. 392-21, on August 17, 2021, the Wayne County Public Defender's Office entered into a 36 month contract number 40757482 with West Publishing Company, providing access to electronic research; and

WHEREAS, since entering into the above-referenced contract with Westlaw Publishing, the Public Defender's Office has received Wayne County Board, approval by Resolution 436-22, to add a new attorney position to their staff, and therefore require an additional license for access to Westlaw Electronic Research; and

WHEREAS, the Public Defender's Office is desirous of amending the Westlaw Contract Number 40757482, Wayne County Contract Number WCC21229, by adding one new attorney user, thereby increasing the monthly contract fee from the current amount of \$2,159.70, to \$2,409.80 which includes one additional license and the 3% annual increase for the first year of the contract, and thereafter, increasing the monthly charge to \$2,482.10 for the second year of the contract which also includes a 3% annual increase; and

WHEREAS, by Westlaw Contract Number 40757482, Westlaw Publishing has provided a new, proposed, 24 month contract adding access for one new user, and setting an annual contract increase fee of three percent (3%); and

WHEREAS, the Wayne County Public Defender has requested, reviewed and provided to the Wayne County Attorney, a copy of the proposed Westlaw Publishing 24 month

amended contract number 40757482 for review; and is requesting County Attorney's approval to enter into the amended contract number 40757482, and

WHEREAS, upon execution of the amended contract number 40757482, the current Westlaw Contract, Wayne County Contract Number WCC21229, is terminated; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute contracts, and any future amendments, subject to the County Attorney's approval, as to form and content, of this West Publishing Contract Number 40757482; and be it further

RESOLVED, that upon approval of the amended West Publishing Contract aforesaid, by the Wayne County Attorney, the Wayne County Chairman of the Board of Supervisors is hereby authorized to execute the 24 Month Amended West Publishing Contract Number 40757482.

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

RESOLUTION 470-22: AUTHORIZATION TO AMEND, EXECUTE AND PAY FOR THE PUBLIC DEFENSE CASE MANAGEMENT MAINTENANCE AND SUPPORT AGREEMENT (PDCMS) BETWEEN WAYNE COUNTY PUBLIC DEFENDER'S OFFICE AND THE NEW YORK STATE DEFENDERS ASSOCIATION, INC. – CONTRACT NUMBER: WCC22109

Mr. Verno presented the following:

WHEREAS, the Wayne County Public Defender's Office uses the Public Defense Case Management System (PDCMS) in their office for the management of data; and

WHEREAS, the New York State Defenders Association, Inc. and the Wayne County Public Defender's Office have entered

into an annual agreement for the support and maintenance of said program which includes software maintenance, bug fixes, new software releases and unlimited telephone support; and

WHEREAS, by Wayne County Resolution 126-22, and Wayne County Contract Number WCC22109, the annual contract with the New York State Defenders Association, Inc., was extended and approved through March 6, 2023; and

WHEREAS, the New York State Defenders Association, Inc., has begun converting the Legacy PDCMS application to an online software-as-a-service (SaaS) application, thereby offering a PDCMSCloud subscription; and

WHEREAS, the Wayne County Public Defender's Office is desirous of subscribing to an Amended Contract with the New York State Defenders Association, Inc., to provide the Wayne County Public Defender Office with Legacy PDCMS and PDCMSCloud, and to receive support and maintenance services that includes software maintenance, bug fixes, new software releases and unlimited telephone support, together with 22 user access licenses and 4TB of Cloud storage, fully described in "Exhibit 2" of the proposed Amended Contract provided by the New York State Defenders Association, Inc. for a first year payment of \$28,360; and

WHEREAS, the Amended Contract with the New York State Defenders Association, Inc., would be for a one year term commencing on December 5, 2022, and expiring on December 4, 2023; and

WHEREAS, the current contract between the New York State Defenders Association, Inc. and the Wayne County Public Defender's Office, (Wayne County Contract WCC22109) would terminate upon implementing of the amended contract with the cloud based application (PDCMSCloud) on December 5, 2022; now, therefore, be it

RESOLVED, that upon review and approval by the Wayne County Attorney as to form and content of the amended annual contract with the New York State Defenders Association, Inc., the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute said contract, and any future amendments or extensions to this contract, subject to the Wayne County Attorney's approval as to form and content.

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

RESOLUTION 471-22: AUTHORIZATION TO ACCEPT 4th YEAR AMENDMENT TO

**INDIGENT LEGAL SERVICES HURRELL-HARRING CONTRACT NUMBER CSTWIDEHH50
AND AMEND THE PUBLIC DEFENDER 2022 BUDGET**

Mr. Verno presented the following:

WHEREAS, Wayne County previously approved and signed the New York State Office of Indigent Legal Services 5-year Contract for Statewide Expansion of Hurrell-Harring Reform, CSTWIDEHH50 – Wayne; and

WHEREAS, the fourth year Budget and Work Plan for this contract has been reviewed by appropriate members of Wayne County's administrative team and subsequently approved by the Office of Indigent Legal Services; and

WHEREAS, this contract funding shall continue to be used for three written plans consisting of counsel at arraignment, quality improvement, and caseload relief pursuant to the 2017 amendment to County Law Section 772-e and enactment of Executive Law Section 832(4), "Statewide Expansion of Hurrell-Harring Reform"; and

WHEREAS, State funding for the fourth year of the overall contract has been appropriated in the 2022 State budget to continue to provide financial support for mandated improvements to both the Public Defender's Office and the Assigned Counsel Program; and

WHEREAS, the proposed fourth year plan Amendment to Contract Number CSTWIDEHH50 includes the fourth year Budget and Work Plan for the Public Defender's Office for the amount of \$1,018,912, and the Assigned Counsel Program for the amount of \$258,063.58, as well as \$38,000 for the Wayne County Treasurer to support a Grants Finance Coordinator, for a total of \$1,314,975.58 with a term of April 1, 2021 through March 31, 2022.; and

WHEREAS, the fourth year Budget and Work Plan for Wayne County, term of April 1, 2021 through March 31, 2022, is set out in full description and detail in Amendment to Contract Number CSTWIDEHH50, Budget Attachments B-1 and C which includes expenditures for both the Public Defender and the Assigned Counsel Program; and

WHEREAS, the fourth year of the five-year Statewide Expansion of Hurrell-Harring Reform-Wayne, Contract Number CSTWIDEHH50, will continue to be referred to as ILSHH and;

WHEREAS, the ILSHH fourth year Public Defender funding shall allow us to work toward the various State mandates the Public Defender must comply with by 2023, including: Funding an already-approved additional felony level full time Assistant Public Defender position, maintaining all previously created or augmented positions including:

- Continuing support for the 2nd Assistant supervisory level position,
- Full time grade 8 position added and filled last year,
- Continuing the Senior Clerk Typist who will act as the State mandated Data Officer,
- Maintaining the increased salary for four Part Time attorneys,
- Supporting the increased Grade for our Sentence Mitigation Specialist,
- Cover all associated costs for new and modified positions, including fringe benefits and equipment,
- Support the expansion of the budget for appellate work and expert services,
- Maintain the budget for trainings for all staff,
- Maintain our ability to access legal research,
- Purchase equipment to make discovery available for review by incarcerated clients,
- Pursue improvements in our office database and digital cloud storage abilities,
- Support membership in various professional organizations for all staff,
- Continue to support our mandate to provide Counsel at First Appearance.

WHEREAS, the ILSHH fourth year Assigned Counsel Program funding shall be used for the following to work toward the various State mandates the Assigned Counsel Program must comply with by 2023:

- Support the contracted salary for the Assigned Counsel Administrator,
- Continue to support a part time Secretary/Data Entry Clerk,

Continue to provide funding for specialized expert services and investigation,
Create a Second Chair/Attorney Mentoring program,
Create a Justice Court Coordinator contract attorney position,
Continue to support appropriate attorney training,
Continue to support access to legal research materials for panel attorneys,
Support membership in various professional organizations,
Maintain the use of the database with appropriate licenses.

and;

WHEREAS; that the Public Defender is desirous of amending the 2022 budget to add prorated appropriations and grant revenues for the 2022 portion of the 4th year Hurrell-Harring reform contract; now, therefore, be it

RESOLVED, that the County Administrator is authorized to accept the fourth year plan amendment to the New York State Office of Indigent Legal Services 5 year Contract for Statewide Expansion of Hurrell-Harring Reform – Wayne, Contract Number CSTWIDEHH50; and the Chairman of the Wayne County Board of Supervisors is authorized to sign the required contract amendment of said Indigent Legal Services Contract, subject to the review and approval by the Wayne County Attorney as to form and content; and further be it

RESOLVED, that the County Treasurer is authorized to amend the Public Defender's 2022 Budget as follows:

A11700 Public Defender

(Revenues)

\$29,370 to 43024-ILSHH – Indigent Legal Ser Hurrell-Harring

(Appropriations)

\$300.00 to 54150-ILSHH ILSHH Office Supplies Indigent Legal Ser
HurrellHarring

\$710.00 to 54116-ILSHH ILSHH Computer Supplies Indigent Legal Ser
HurrellHarring

\$28,360 to 54424-ILSHH ILSHH Equipment-Maint Indigent Legal Ser
HurrellHarring

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

RESOLUTION 472-22: AUTHORIZATION TO ENTER INTO A STUDENT INTERNSHIP WITH NAZARETH COLLEGE OF ROCHESTER TO PERFORM SOCIAL WORK MITIGATION WITH THE WAYNE COUNTY PUBLIC DEFENDERS OFFICE

Mr. Verno presented the following:

WHEREAS, the Wayne County Public Defender's Office periodically agrees to have both undergraduate and graduate students participate in unpaid internships through various educational institutions; and

WHEREAS, by Wayne County Resolution Number 502-21 authorized an Affiliation Agreement between Wayne County and Nazareth College for a Student Social Work Mitigation Intern for the Public Defender's Office, dated November 3, 2021, and was executed by the Wayne County Chairman of the Board of Supervisors, Kenneth F. Miller, and Nazareth College of Rochester by Cathy Rasmussen, Interim Dean; and

WHEREAS, the Public Defender has now agreed to have Abby Groff, an undergraduate student at Nazareth College of Rochester, participate in an internship program with the Wayne County Public Defender's Office; and

WHEREAS, the typical internship of this nature consists of 400 hours of work during two semesters of college, therefore, the dates said intern would be working with the Public Defender's Office would be from approximately September 20, 2022 through May 2023, supervised by Kimberly Golding, Sentencing Mitigation Specialist; now, therefore, be it

RESOLVED, that the Wayne County Public Defender Office is authorized to enter into a student internship with Abby Groff, a student at Nazareth College of Rochester, for term of September 2022 through May 2023.

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

RESOLUTION 473-22: AUTHORIZATION TO ACCEPT 2021-22 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT FUNDING AND AMEND THE PROJECT ACCOUNT BUDGET

Mr. Verno presented the following:

WHEREAS, notification has been received that the County has been awarded \$971,579 in State grant funding in association with the 2021-22 Statewide Interoperable Communications Grant (SICG) program, and

WHEREAS, said State grant program is administered by the New York State Division of Homeland Security and Emergency Services, and requires no local match, and

WHEREAS, grants funds received in association with this program will be utilized in an effort to continue to build-out the public safety radio infrastructure, serving all police, fire, and EMS agencies and personnel operating in Wayne County, to improve radio system performance in areas where coverage studies and practical knowledge show that improvement is most in need; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a contract with the State to accept the 2021-22 SICG funding, in the amount of \$971,579, and be it further

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

H3918 Homeland Security

Amount	Object Code	Project ID	Object Name	Project Name
(Revenue)				
\$971,579 to	.43302	SIC21	Homeland Security	State Interoperable Comm
(Appropriations)				
\$971,579 to	.43302	SIC21	Contracted Services	State Interoperable Comm

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

RESOLUTION 474-22: AUTHORIZATION TO ACCEPT NYS 2021-22 PUBLIC SAFETY ANSWERING POINT OPERATIONS GRANT FUNDS

Mr. Verno presented the following:

WHEREAS, A New York State 2021-22 Public Safety Answering Points Operations Grant has been awarded to Wayne County in the amount of \$186,856; and

WHEREAS, this grant does not require a local match; and

WHEREAS, these funds must be utilized for eligible public safety call-taking and dispatching expenses; and

WHEREAS, these funds must be expended between January 1; 2022 and December 31, 2022; therefore, be it

RESOLVED, that the Director of Emergency Management is authorized to accept the 2021-22 Public Safety Answering Point Operations Grant and the Chairman of the Board of Supervisors is authorized to sign the required contract, subject to the review and approval of the County Attorney.

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

RESOLUTION 475-22: AUTHORIZATION TO TRANSFER NYS 2020-21 PUBLIC SAFETY ANSWERING POINT OPERATIONS GRANT FUNDS

Mr. Verno presented the following:

WHEREAS, the New York State 2020-21 Public Safety Answering Points Operations Grant revenue utilized a PSP21 Project Account code; and

WHEREAS, these funds should have been placed in the PSP20 Project Account Code; therefore, be it

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

A36420 E911

(appropriations)

\$194,040 from 43302.PSP21

A36420 E911

(appropriations)

\$194,040 to 43302.PSP20

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

RESOLUTION 476-22: AUTHORIZATION TO EXECUTE A TRAINING AFFILIATION AGREEMENT WITH SUNY UPSTATE MEDICAL CENTER

Mr. Verno presented the following:

WHEREAS, students enrolled in EMS (Emergency Medical Services) education require time spent with certified EMT's and Paramedics as part of their education prior to testing, and

WHEREAS, Wayne County ALS Paramedics have offered this initial education by serving as preceptors for EMS classes held by the Finger Lakes EMS Council, Finger Lakes Community College and Monroe Community College for many years, and

WHEREAS, it has been requested that Wayne County ALS offer this service to students of SUNY Upstate Medical University of Syracuse also; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a Clinical Training Affiliation Agreement between the County and the State of New York Upstate Medical University for the purpose of permitting students enrolled in Upstate EMS education to complete field training while accompanying Wayne County ALS personnel, with said agreement subject to the approval of the County Attorney as to form and content.

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

RESOLUTION 477-22: AUTHORIZATION TO DECLARE VEHICLES AND ITEMS SURPLUS IN THE PUBLIC WORKS DEPARTMENT

Mr. Chatfield presented the following:

WHEREAS, the Buildings and Grounds Department has items listed below that should be disposed of as noted:

90+ Banquet Chairs (EMO)	Auction
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And,

WHEREAS, the Highway Department has the following items that are no longer being used and should be disposed of:

1978 Dyna-Pac Drum roller	VIN 535D25	Auction
1969 Cat Motor Grader	VIN 12K712	Auction

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

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

RESOLUTION 478-22: AUTHORIZATION TO CLOSE COMPLETED 2022 CONSTRUCTION PROJECTS AND AMEND THE PUBLIC WORKS 2022 BUDGET

Mr. Chatfield presented the following:

WHEREAS, various Highway Construction Projects have been completed in 2022 and final payments processed; and

WHEREAS, the balance in budgeted projects may be reallocated to other projects; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized and directed amend the 2022 budget as follows:

D5112-ROAD CONSTRUCTION:

\$4,811.11 from .52638 CHIPS - Equipment
\$63,035.27 from .52663 20-79 Lake Road Sodus Culvert Project
\$5,002.58 from .52664 21-32 County House Rd Project
\$52,792.74 from .52670 22-53 Marion East Williamson Recycle Project
\$0.28 to .52670 22-67 North Geneva Rd
\$76,809.62 to .52670 22-68 Wayne Center Rd Paving Project
\$48,831.80 to .52600 Highway Construction
And be it further

RESOLVED that the following highway construction projects within Account D51122 Road Construction having a zero balance, are hereby closed:

D5112-ROAD CONSTRUCTION:

.52638 CHIPS – Equipment
.52663 20-79 Lake Road Sodus Culvert Project
.52664 21-32 County House Rd Project
.52670 22-53 Marion East Williamson Recycle Project
.52670 22-67 North Geneva Rd Project
.52670 22-68 Wayne Center Rd Paving Project

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

RESOLUTION 479-22: AUTHORIZATION TO AMEND 2022 MACHINERY COUNTY BUDGET

Mr. Chatfield presented the following:

WHEREAS, the usage and cost of fuel has increased necessitating an increase in the Machinery Budget for Diesel and Gasoline; and

WHEREAS, the costs of the fuel are charged back to the departments and other agencies using the fuel; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to amend the Highway Machinery Budget DM Fund for 2022 as follows:

DM51304 – ROAD MACHINERY

(Revenue)
\$197,000 to .42304 Material Reimbursements
(Appropriations)

\$82,000 to .54121 Diesel
\$115,000 to .54128 Gasoline

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

RESOLUTION 480-22: AUTHORIZATION TO ESTABLISH SOCIAL SERVICES ELEVATOR REPAIR PROJECT

Mr. Chatfield presented the following:

WHEREAS, the Social Services Building elevator located at 77 Water Street continues to have problems with the underground hydraulic jack causing a premature failure of the cylinder packing and loss of hydraulic oil; and

WHEREAS, the hydraulic jack was replaced in 2007 for this issue; and

WHEREAS, TK Elevator has informed the County that the issue is being caused by the hydraulic jack not being installed plumb in the ground and causing excess stress and wear on the cylinder and packing; and

WHEREAS, TK Elevator recommends modernizing the elevator with a new above ground jack and car system to resolve the issue and also provide updated elevator controls; and

WHEREAS, TK Elevator has provided a budgetary cost of \$225,000 to perform this modernization; and

WHEREAS, this cost wasn't budgeted for in the 2022 budget; and

WHEREAS, this is the only elevator in the building and the County is required to maintain it to remain ADA compliant; and

WHEREAS, TK Elevator can perform this work under Sourcewell Contract # 080420; and

WHEREAS, the Deputy Superintendent of Public Works recommends the modernization as proposed by TK Elevator as the appropriate repair for this unit; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors establishes the Social Services Elevator repair project (B30EL); and be it further

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 TK Elevator under Sourcewell Contract #080420; and be it further

RESOLVED, that the Wayne County Board of Supervisors authorizes the use of subcontractors if needed on this project; and be it further;

RESOLVED, that the Deputy Superintendent of Public Works is authorized to execute the required procurement process, in accordance with the County Purchasing Policy, and expend the approved funds, and be it further

RESOLVED, that the County Treasurer is authorized to transfer \$225,000 from General Fund Unassigned 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)

\$225,000 to 52774 Building Renovation Cap Proj -

H1933 Building Renovation

(Revenues)

\$225,000 to .45031 B30EL Interfund Transfer (Social Services Elevator Repairs)

(Appropriations)

\$225,000 to .52000 B30EL Equipment & Other Cap Outlay (Social Services Elevator Repairs)

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

RESOLUTION 481-22: AUTHORIZATION TO ALLOW UP TO A 5 YEAR CONTRACT ON ARCHITECTURAL, ENGINEERING AND TEST SERVICES FOR PUBLIC WORKS PROJECTS

Mr. Chatfield presented the following:

WHEREAS, the current on-demand contracts for Architectural, Engineering and Testing services are set to expire at the end of November; and

WHEREAS, resolution 308-21 describes the Wayne County Purchasing Policy, and

WHEREAS, the Purchasing Policy only allows up to a 3-year contract term limit; and

WHEREAS, the on-demand contracts for Architectural, Engineering and Testing Services are based solely on firm's qualifications and not on a monetary dollar amount; and

WHEREAS, these firms are not guaranteed an annual set dollar amount and may not perform any services throughout the duration of their contract, and

WHEREAS, the Deputy Superintendent of Public Work recommends having the option to extend these type of contracts up to 5 years; and

WHEREAS, by allowing the additional contract terms it may increase the number of firms submitting proposals; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes up to five (5) year contract terms for Architectural, Engineering and Testing Services.

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

RESOLUTION 482-22: AUTHORIZATION TO AWARD WESTERN BLUFF BLIND SODUS BAY REDI INITIATIVE PROJECT

Mr. Chatfield presented the following:

WHEREAS, Wayne County was awarded \$12,170,000 for the Blind Sodus Bay REDI project to stabilize a bluff along Blind Sodus bay Road and to perform nature based shoreline stabilization, and

WHEREAS, Resolution 617-19 created projects and provided funding for several REDI projects, and

WHEREAS, for permitting, constructability and financial reasons, it was decided to design and bid this project in two separate contracts, and

WHEREAS, on August 9, 2022, the following bids were received for the Blind Sodus bay - Western Bluff Stabilization portion of the project:

Martin's Custom Tidesides	\$3,286,660.00
Marcy Excavation Services, LLC	\$4,997,788.50
C.P. Ward Inc.	\$5,100,625.00
WD Malone Trucking & Excavating	\$5,317,714.00

And,

WHEREAS, the District as the project owner, requested verification of qualifications for all aspects of the project, and

WHEREAS, the Public Works Committee has reviewed the procurement information as presented by the District's Board of Directors and District Manager; and

WHEREAS, the District has requested a \$4,000,000.00 allocation for this project as part of the REDI program funded through DASNY:

Engineering Services:	\$522,200.00
Construction Bid:	\$3,286,660.00
Operational Costs:	\$2,500.00
District Technical Assistance:	\$38,500.00
<u>Contingency</u>	<u>\$150,140.00</u>
Total Contract Project Cost:	\$4,000,000.00

And

WHEREAS, the MRB Group, will provide complete construction inspection of the project as part of the project planning team with an immediate start date; and

WHEREAS, the District has worked through the REDI Program Milestones to seek a Grant Disbursement Agreement through DASNY; now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors supports the District in award to Martin's Custom Tidesides as the lowest qualified bidder; and be it further

RESOLVED, that the District will prepare the appropriate paperwork for Grant Disbursement Agreement for Wayne County with DASNY, and be it further

RESOLVED, that the Grant Disbursement Agreement will be in the amount of \$4,000,000.00 as a separate project contract from the original allocation as requested to DASNY and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with DASNY for reimbursement for this portion of the project.

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

RESOLUTION 483-22: AUTHORIZATION TO AMEND 2022 TRAVEL BUDGET TO ATTEND NYS TRAVEL INDUSTRY ASSOCIATION ANNUAL MEETING AND FALL CONFERENCE FOR THE TOURISM DEPARTMENT

Mr. Johnson presented the following:

WHEREAS, The Director of Tourism attends the New York State Travel Industry Association Annual Meeting and Fall Conference annually; and

WHEREAS, the conference takes place October 26-28, 2022; and

WHEREAS, the cost of the 2022 conference exceeds the Travel budget account by \$150; therefore, be it

RESOLVED that the County Board of Supervisors authorizes a transfer of funds of \$150 from 54460 Promotion to 54485 Travel; and be it further

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

A6410 Tourism
(Appropriations)
\$150.00 from 54460 Promotion
\$150.00 to 54485 Travel

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

RESOLUTION 484-22: AUTHORIZATION TO CREATE POSITION OF SECRETARY 1 AND ABOLISH POSITION OF SENIOR CLERK TYPIST IN THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING

Mr. Johnson presented the following:

WHEREAS, the position of Senior clerk typist is an existing position in the Economic Development and Planning Department serving at the direction of the Director to facilitate general administration and additional duties as assigned, and

WHEREAS, the nature of the work and goals of the department have changed over the last several years, in addition to the utilization of technology in the work and general administration of the department, and upon review of the duties and in accordance with the provisions of Civil Service Law Section 22, the Wayne County Human Resource Department has certifying that the appropriate Civil Service title for the position described is Secretary I; now therefore be it

RESOLVED, that the position of Secretary 1 is hereby created at the hourly rate of \$19.62 in CSEA General grade 13; and be it further

RESOLVED, that the position of Senior Clerk Typist is hereby abolished upon hire of the Secretary 1; and be it further RESOLVED, that the Wayne County Treasurer is hereby authorized to make the following budget amendment:

A8020 Planning

(Appropriations)

\$7550 from 51142 Senior Typist

\$7550 to 51631 Secretary I

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

RESOLUTION 485-22: AUTHORIZATION TO CREATE POSITION OF SENIOR PLANNER AND ABOLISH POSITION OF PLANNER IN THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING

Mr. Johnson presented the following:

WHEREAS, The County Planning Department is to provide resources empowering citizens to improve the quality of life by advancing social, economic, environmental and public health goals of their community; and

WHEREAS, the position of Planner is an existing position in the Economic Development and Planning Department serving at the direction of the Director to facilitate general administration and additional duties as assigned, and

WHEREAS, staffing and qualifications to carry out the goals and responsibilities of the department have increased relative to the skills and qualifications of employees, and

WHEREAS, it has been determined by the Director of Economic Development and Planning that it is appropriate to raise the level of the planner position to senior planner based on skills and responsibilities; now therefore be it

RESOLVED, that one position of Planner is abolished, and one position of Senior Planner, CSEA, Grade 36 \$32.36 hourly is created in the Department of Economic Development and Planning, and be it further

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

A8020 Planning

(Appropriations)

\$12,460 from 51320 Planner

\$12,460 to 51342 Senior Planner

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

RESOLUTION 486-22: AUTHORIZATION TO ACCEPT NYSEDA CLEAN ENERGY COMMUNITIES AWARD AND COMMIT FUNDS TO AN ELECTRIC VEHICLE INFRASTRUCTURE PLAN

Mr. Johnson presented the following:

WHEREAS, The NYSEDA Clean Energy Communities (CEC) program provides the tools and resources to implement "High Impact Action Items" allowing communities to earn points and access to grant funding, and

WHEREAS, the Economic Development and Planning Department facilitated County Hosted Trainings, delivered by expert trainers provided by NYSEDA free of charge and designed to help communities understand how to manage responsible clean energy development in their communities, and

WHEREAS, the points available through County Hosted Trainings has earned the County a Designation Grant of \$5,000, and

WHEREAS, acceptance of the award requires a commitment of funds to a project supporting additional impacts on the use of clean energy or greenhouse gas reductions, and

WHEREAS, Economic Development has solicited and is evaluating proposals for development of an electric vehicle charging station (EVSE) deployment plan to evaluate and identify needs for publicly accessible charging station infrastructure across the County, now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to accept the \$5,000 CEC award on behalf of the County and be it further,

RESOLVED, that the County commits the funds to development of the electric vehicle charging station plan.

A8020 Planning Board

(Revenues)

\$5000 to 43305 EDP10 NYS Grants, EVSE

(Appropriations)

\$5000 to 54400 EDP10 Contracted Services, EVSE

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

RESOLUTION 487-22: AUTHORIZATION TO SIGN INTERMUNICIPAL AGREEMENT FOR THE IMPLEMENTATION OF A REGIONAL DREDGING MANAGEMENT PLAN

Mr. Johnson presented the following:

WHEREAS, resolution 286-17 authorized the signing of a memorandum of understanding (MOU) between the Counties of Niagara, Orleans, Cayuga, and Wayne (PARTIES) to take the first steps in implementing a regional dredging management plans for the harbors along the south shore of Lake Ontario, and

WHEREAS, the small harbors serving recreational boating along the south shore of Lake Ontario generate approximately \$94 million annually in economic activity, support over 1,350 jobs, and provide sales tax revenues of approximately \$7.6 million annually for the local counties and New York State; and

WHEREAS, these same small harbors provide safe harbors of refuge for vessels on Lake Ontario; and

WHEREAS, these harbors can only provide these important benefits if adequate water depths are maintained in their access channels by regular, periodic dredging of accumulated sediments; and

WHEREAS, since the authorization of the MOU, the Army Corps has taken steps to complete dredging along the shores of Lake Ontario due to the impacts of flooding and implementation of the Resiliency & Economic Development Initiative (REDI) Program, and

WHEREAS, that program is coming to an end and the Army Corps is looking to "hand off" responsibility of dredging, and

WHEREAS, Orleans County is leading re-establishment of the Regional Dredging Council and commitments from participating Counties to participate and provide funding for administrative and other soft costs associated with the project, reviewed to and agreed to by the members to be evenly split by said members, and

WHEREAS, funds will be held in escrow by an agent and under additional conditions described in the Intermunicipal Agreement (IMA), and

WHEREAS, it is important and costs effective that the County participate in the Regional Dredging Council in order to preserve adequate and continued use of the Harbors to facilitate economic and quality of life amenities in the County, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the IMA between Wayne County and the PARTIES, provided the final IMA is substantially in the form and intent as herein attached and confirmed

for the Chairman by the County Attorney; and be it further

RESOLVED, that Board of Supervisors hereby authorizes the Chairman, with the advice and consent of the Majority and Minority Leaders, to designate the Wayne County Representative to the COUNCIL to act as the County's liaison between the COUNCIL and the Board of Supervisors.

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

RESOLUTION 488-22: AUTHORIZATION TO AWARD RFP FOR BROWNFIELD CONSULTANT AND EXECUTE CONTRACT FOR ASSISTANCE IN ADMINISTRATION OF STATE AND FEDERAL GRANT PROGRAMS

Mr. Johnson presented the following:

WHEREAS, The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or the Superfund Law) was amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law) to include section 104(k), which provides federal financial assistance for brownfields revitalization, including grants for assessment, cleanup, and revolving loan funds; and

WHEREAS, resolution 392-22 authorized the release of a Request for Proposals to secure the services of a qualified consulting firm to (a) help secure United States Environmental Protection Agency (U.S. EPA) and potentially other federal or state grants for the assessment, cleanup, or redevelopment of brownfields properties within Wayne County, NY, and (b) implement any environmental assessment, remedial planning, community outreach, and other environmental or planning components of grants for which funding is secured, and

WHEREAS, two proposals were received from the following firms:

Stantec Consulting Services

3 Columbia Circle
Albany, NY 12203
Cumulate Score: 365 / 400

C&S Engineers

499 Col. Eileen Collins Blvd.
Syracuse, NY 13212
Cumulate Score: 315 / 400

WHEREAS, the proposal has been reviewed by an evaluation committee and scored using published RFP criteria including but not limited to costs, and both proposals were determined to have met the requirements outlined in the RFP, now, therefore be it

RESOLVED, that the Board of Supervisors hereby accepts the proposal submitted by Stantec Consulting Services, and be it further

RESOLVED, that 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 with Stantec Consulting Services; and be it further

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

A1990 Contingent Fund General

(Appropriations)
\$1,000 from 54000 Contractual Expenses

A8020 Planning Board

(Appropriations)
\$1000 to 54400 EDP11 Contracted Services, Brownfield Application Consulting

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

RESOLUTION 489-22: AUTHORIZING AGREEMENTS WITH TOWNS AND VILLAGES EXEMPTING CERTAIN ACTIONS FROM REVIEW BY THE COUNTY PLANNING BOARD

Mr. Johnson presented the following:

WHEREAS, New York State General Municipal Law Section 239 requires local municipalities town, planning, and zoning board of appeals to refer applications for certain planning and zoning actions to the Wayne County Planning Board for review, and

WHEREAS, the New York General Municipal Law Section 239 further requires the County Planning Board to assess all such applications as to whether the requested action would have a "county wide" or "inter-community" impact and to provide comments back to the local board making that referral if deemed appropriate, and

WHEREAS, the current referral process results in the processing and review of applications from towns and villages to the County, with certain referrals continuously determined to have neither county-wide nor inter-community impact, and

WHEREAS, New York State General Municipal Law authorizes municipalities and the County to agree to exempt certain classes of actions subject to local review from referral to and review by the County Planning Board, and

WHEREAS, resolution 585-92 authorized certain exemptions between local boards and the County, and

WHEREAS, this resolution supersedes Resolution 585-92 and resolution 394-92; and

WHEREAS, additional exemptions would create a more appropriate level of County review of local actions, save time, and streamline local permitting and reduce the time required by local staff for County referrals, now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute agreements, approved by the County Attorney, with Towns and Villages exempting the following actions from County Planning Board review:

Area Variances.

Site Plan Review for residential uses not exceeding 4 units.

Site Plan Review for accessory structures as defined by the municipality.

Site Plan Review of a new use allowed in that zoning district that meets all applicable local municipal code requirements.

Special Use Permits or Site Plan Reviews for home occupations/businesses that meet all other applicable local municipal code requirements.

Special Use Permits or Site Plan Reviews for the co-location of telecommunications equipment on an existing telecommunications tower/facility.

Special Use Permits or Site Plan Reviews for new ponds or pond expansions that meet all applicable local municipal code requirements.

Subdivision of land into 4 lots or less that meet all applicable local municipal code requirements.

Subdivision plan amendments where there are no new access points proposed onto county or state roads.

Permits for Temporary Structures or signs during construction.

Land Use Moratoria not exceeding 12-months, except that a notice shall be sent to the Wayne County Planning Department for informational purposes.

Administrative and Fee Amendments to the Zoning Code (i.e., general provisions, permit procedures, powers and duties of local boards and officers, penalties for offenses, public hearing requirements, organization, and amendment procedures).

Interpretations of the municipal Zoning Code.

Renewals/Extensions of Site Plans or Special Permits that have no changes from previous approvals.

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

RESOLUTION 490-22: AUTHORIZATION TO EXECUTE CONTRACT WITH NEW YORK STATE BOARD OF ELECTIONS FOR ABSENTEE BALLOT PRE-PAID POSTAGE GRANT

Mr. Lasher presented the following:

WHEREAS, Wayne County Board of Elections has been awarded state funding in the amount of \$25,659.96, through the New York State Board of Elections Absentee Ballot Pre-Paid Postage grant program, Contract number BOE01-T004622-1110000; and

WHEREAS, this funding was established to reimburse County Boards of Elections for eligible expenses to be reimbursed for postage paid return of absentee ballots and absentee ballot applications, and will apply to expenses incurred between July 1, 2022 through December 31, 2022; now, therefore be it,

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract, on behalf of Wayne County Board of Elections, with the New York State Board of Elections, subject to the review and approval of the County Attorney's office as to form and content, in order to accept and receive aforementioned grant funding, according to the above described terms.

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

RESOLUTION 491-22: AUTHORIZATION TO ESTABLISH 2023 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 County of Wayne hereby adopts the following premium-equivalents for 2023 for the Self-Insured Workers' Compensation Plan:

Wayne County	\$1,225,937	Village of Clyde	\$6,702
Town of Arcadia	\$19,310	Village of Newark	\$89,593
Town of Butler	\$13,720	Village of Palmyra	\$15,647
Town of Galen	\$10,234	Village of Red Creek	\$5,848
Town of Huron	\$20,041	Village of Sodus	\$9,455
Town of Lyons	\$41,705	Village of Sodus Point	\$8,761
Town of Macedon	\$148,996	Village of Wolcott	\$9,137
Town of Marion	\$16,948		
Town of Ontario	\$115,142		
Town of Palmyra	\$58,479		
Town of Rose	\$12,138		
Town of Savannah	\$11,582		
Town of Sodus	\$42,240		
Town of Walworth	\$41,339		
Town of Williamson	\$56,348		
Town of Wolcott	\$20,698		

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

RESOLUTION 492-22: AUTHORIZATION TO CONTINUE SHARED SERVICES AGREEMENT WITH SODUS CENTRAL SCHOOL DISTRICT FOR GRANT MANAGEMENT SERVICES

Mr. Lasher presented the following:

WHEREAS, Since 2020 Wayne County has had a contract under the New York State County-Wide Shared Services Initiative (CWSSI) with the Sodus Central School District for the shared grant management services of Jay Roscup, and

WHEREAS, since 2020, Jay Roscup has assisted Wayne County Departments in securing over \$4.5 million in grant funds, and

WHEREAS, the County Administrator is desirous of continuing CWSSI agreement with the Sodus Central School District for grant management services of Jay Roscup, for the amount of \$30,000 for the time period of January 1, 2022 through December 31, 2022; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign an agreement with Sodus Central school District for the sharing of the grant management services of Jay Roscup, for the time period of January 1, 2022 through December 31, 2022 at a cost not to exceed \$30,000 upon review and approval of the County Attorney.

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

RESOLUTION 493-22: OPPOSING SENATE BILL S.51001 AND ASSEMBLY BILL A.41001 REGARDING NEW YORK STATE'S CONCEALED CARRY LAW

Mr. Lasher presented the following:

WHEREAS, the New York State Legislature recently enacted Senate Bill A. 51001 and Assembly Bill A. 41001, which makes obtaining and retaining a concealed carry gun permit a burdensome process; and

WHEREAS, Wayne County residents and visitors enjoy a long history of safe and lawful gun ownership; and

WHEREAS, Public Safety is enhanced and Law Enforcement is enhanced through the assistance of lawful gun ownership; and

WHEREAS, the Second Amendment to the United States Constitution sets forth that a well-regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed, and

WHEREAS, the State of New York has recently passed legislation which further restricts the rights of a lawful gun owner with a valid license to carry issued by a superior court judge to carry and possess a firearm in a variety of public places; and

WHEREAS, the right to carry and possess a firearm in public buildings is presumptively denied unless the property owner affirmatively opts out of such restrictive provision; now therefore be it

RESOLVED, that the County of Wayne is hereby declared a gun friendly county which shall mean that those properly licensed to possess and carry a handgun shall be able to conceal and carry a handgun throughout the county unless specifically prohibited by statute or owner declaration, and be it further

RESOLVED, that the Wayne County Board of Supervisors opposes conceal carry law S. 51001/A41001 as being unduly burdensome to those individuals lawfully eligible to possess and carry a concealed firearm and as such calls upon the New York State Legislature to repeal such provisions as contrary to public safety and the Constitutionally protected right to keep and bear arms; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to forward copies of this resolution to New York State Governor Kathy Hochul, Senator Pamela Helming and Assemblyman Brian Manktelow, the New York State Association of Counties, and all others deemed necessary and proper.

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

RESOLUTION 494-22: ADOPT LOCAL LAW RELATING TO THE REAPPORTIONMENT OF THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE

Mr. Lasher presented the following:

WHEREAS, a proposed local law relating to the reapportionment of the Board of Supervisors of the County of Wayne was presented to the Board of Supervisors on August 8, 2022; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors on September 20, 2022 at 9:05 a.m., in accordance with the notice of hearing duly

posted and published in the manner prescribed by law; now, therefore be it
RESOLVED, that said local law is hereby adopted to read as follows:

COUNTY OF WAYNE – STATE OF NEW YORK

A local law relating to the reapportionment of the Board of Supervisors of the County of Wayne.
BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

SECTION 1. LEGISLATIVE INTENT

The Wayne County Board of Supervisors having heretofore enacted local laws implementing adjusted weighted voting plans for simple majority votes and two-thirds majority votes, and since those enactments the 2020 Federal Census having been completed, the Wayne County Board of Supervisors did pursuant to Section 10 of the Municipal Home Rule Law prepare revised plans, utilizing 2020 population statistics.

SECTION 2. LEGISLATIVE AUTHORITY

This local law is enacted pursuant to the provisions of Municipal Home Rule Law Section 10 (1) (a) (13).

SECTION 3. ADJUSTED WEIGHTED VOTING PLAN (SIMPLE MAJORITY)

The apportionment of the voting strength of each of the members of the Wayne County Board of Supervisors as determined by utilization of the 2020 Federal Census shall be as follows upon any vote requiring a simple majority vote:

Arcadia	29
Butler	4
Galen	10
Huron	4
Lyons	13
Macedon	20
Marion	10
Ontario	23
Palmyra	16
Rose	5
Savannah	4
Sodus	18
Walworth	20
Williamson	15
<u>Wolcott</u>	<u>9</u>

TOTAL: 200

A total of 101 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a simple majority vote.

SECTION 4. ADJUSTED WEIGHTED VOTING PLAN (TWO-THIRDS MAJORITY)

The apportionment of the voting strength of each of the members of the Wayne County Board of Supervisors as determined by utilization of the 2020 Federal Census shall be as follows upon any vote requiring a two-thirds majority vote:

Arcadia	29
Butler	4
Galen	10
Huron	4
Lyons	13
Macedon	20

Marion	10
Ontario	23
Palmyra	16
Rose	5
Savannah	4
Sodus	18
Walworth	20
Williamson	15
<u>Wolcott</u>	<u>9</u>
TOTAL:	200

A total of 134 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a two-thirds majority vote.

SECTION 5. EFFECT OF OTHER LAWS OR ACTS

Local Law No. 3-2011 and any other law, ordinance, resolution or other act of the Wayne County Board of Supervisors relating to reapportionment is herein and hereby superseded.

SECTION 6. SEPARABILITY

If any clause, sentence, paragraph or section of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph or section thereof directly involved in the proceeding in which such adjudication shall have been rendered.

SECTION 7. EFFECTIVE DATE

This local law is subject to referendum on petition pursuant to Municipal Home Rule Law Section 24 (2) (j). This local law shall take effect 45 days after its adoption pursuant to Municipal Home Rule Law Section 24(1), subject to the provisions thereof.

And be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to number the local in conformance with the filing requirements of the Secretary of State and to file the local law with the Secretary of State in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

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

RESOLUTION 495-22: AUTHORIZATION TO AMEND CONTRACT WITH PATRICIA MCKINNY, LMHC FOR CLINICAL RECORD AUDITING & UTILIZATION REVIEW SERVICES AND AMEND THE 2022 COUNTY BUDGET FOR THE MENTAL HEALTH DEPARTMENT

Mr. Robusto presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to amend the contract with Patricia McKinny, Licensed Mental Health Counselor (LMHC), who provides clinical services for utilization review and independent medical record auditing services for the 2022 calendar year contract period; and

WHEREAS, due to a greater volume of patients being admitted into the mental health clinic programs, WBHN is in need of additional auditing and utilization review for a greater number of patient medical records, which in turn will exceed the current contract dollar limit; and

WHEREAS, WBHN remains in need of these services in order to comply with state regulatory requirements, and as such these services are essential to agency operations; and

WHEREAS, WBHN has sufficient funds available to cover the additional associated expense for this mandated service; now therefore be it

RESOLVED that the Chairman of the Board is authorized to sign an amended contract with Patricia McKinny, LMHC, for the period of January 1, 2022 to December 31, 2022, to provide Clinical Record Auditing and Utilization Review Services to WBHN for the continued rate of \$10.00 per medical record reviewed, and the dollar limit for the contract is authorized to be increased by \$4,000 for a revised total amount not to exceed \$16,000 for the 2022 budget year, and said contract will be subject to the County Attorney's review as to form and content, and the department will utilize department revenues along with State funding that is provided to the Mental Hygiene Local Governmental Unit for administrative functions, and the department will maintain the expense records associated for this service within available department funds; and be it further

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

A4300 Mental Health

(Revenue)

\$4,000 to 43490.M8200 State Aid- Mental Health

(Appropriations)

\$4,000 to 54563.M2120 Contracted CMHP

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

RESOLUTION 496-22: AUTHORIZATION TO CREATE ONE FULL TIME PSYCHIATRIC NURSE PRACTITIONER POSITION, ABOLISH ONE PART TIME NURSE PRACTITIONER POSITION AND AMEND THE 2022 COUNTY BUDGET FOR THE MENTAL HEALTH DEPARTMENT

Mr. Robusto presented the following:

WHEREAS, the Mental Health Department currently has a high volume of children & adolescents and adult patients who are in need of psychiatric 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 psychiatric services related to patient care; and

WHEREAS, given the Director of Mental Health has the opportunity to hire a candidate who is fully trained and graduating and becoming credentialed as a Psychiatric 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 part-time nurse practitioner position (being vacated as a result of a retirement), which will result in additional budgetary savings from this change; and

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

WHEREAS, the Director of Mental Health has reviewed this request with the County Administrator and the Human Resource Director, and is requesting that the Board authorize the creation of a full-time Psychiatric Nurse Practitioner position and set the annual salary at \$104,500., 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; therefore, be it

RESOLVED, that the Board of Supervisors authorizes that one part-time nurse practitioner position be abolished; and one full-time Confidential Management Position in title of Psychiatric Nurse Practitioner full-time be created in the Mental Health Department, and that the salary for this position be set at \$104,500 annually, and that the Mental Health Director is authorized to hire and fill this position effective September 30, 2022; and be it further

RESOLVED, the Treasurer is authorized to make the following 2022 Budget amendments which will be sufficient to fund the position for the remainder of 2022:

Account No. A4300 – Behavioral Health:

(Appropriations)

\$26,500 from 51598.M2120 PT Psychiatric Nurse Practitioner

\$26,500 to 51518.M2120 Psychiatric Nurse Practitioner FT

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

RESOLUTION 497-22: AUTHORIZATION TO AMEND SALARY FOR GRADUATE NURSE POSITIONS

Mr. Robusto presented the following:

WHEREAS, the Board of Supervisors authorized the hiring of three (3) Graduate Nurses by the Wayne County Nursing Home in Resolution #91-11 and #408-09 in an effort to address the shortage of licensed nurses, and

WHEREAS, the Board of Supervisors last amended the hourly rate for the Graduate Nurses by resolution #91-11; now, therefore be it,

RESOLVED, that effective September 1, 2022 and annually thereafter, the hourly rate for the temporary positions of Graduate Nurse at the Wayne County Nursing Home shall be \$2 per hour less than the Registered Nurse hire rate.

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

RESOLUTION 498-22: 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, 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 - \$375	plus 6.8 percent tax rate
Private rooms - \$405	plus 6.8 percent tax rate
Suite - \$600	plus 6.8 percent tax rate

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

RESOLUTION 499-22: AUTHORIZATION TO EXECUTE AGREEMENT WITH ROBERTS WESLEYAN COLLEGE AND WAYNE COUNTY NURSING HOME FOR OCCUPATIONAL THERAPY PROGRAM

Mr. Robusto presented the following:

WHEREAS, Wayne County Nursing Home and Roberts Wesleyan College currently have a contract to allow occupational therapy students to train at the nursing home; and

WHEREAS, Wayne County Nursing Home and Roberts Wesleyan College have an interest in this collaboration that provides occupational therapy training; and

WHEREAS, that the Nursing Home Administrator is desirous in renewing the agreement with Roberts Wesleyan College effective from September 1, 2022 to September 1, 2025; and now, therefore be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute an agreement on behalf of the Wayne County Nursing Home with Roberts Wesleyan College from September 1, 2022 to September 1, 2025 for the purpose of occupational therapy program at no cost to the nursing home, subject to the County Attorney's approval as to form and content.

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

RESOLUTION 500-22: AUTHORIZATION TO CONTRACT WITH WAYNE COUNTY SCHOOL DISTRICTS FOR THE FAMILY AND COMMUNITIES TOGETHER PROGRAM

Mr. Donalty presented the following:

WHEREAS, the Families and Communities Together (FACT) Program is designed to assist families that have children in grades K through 8 who are exhibiting emotional and/or behavioral issues by providing intensive case management services and thereby preventing an out-of-home placement; and

WHEREAS, for the 2022-23 school year, the FACT program will consider working with students in grades 9-12 as well and will offer schools the opportunity to refer a family just for parent education only; and

WHEREAS, two additional Wayne County school districts have requested to enter into a contractual agreement with the Department of Aging and Youth for the provision of FACT services, and

WHEREAS, the Department of Aging and Youth agrees to provide FACT services to a specified number children per school district at a sum of \$1000.00 per family for case management and \$500 per family for parent education only; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the Department of Aging and Youth for the provision of FACT services with the schools listed below in the amount specified, for the contract year from September 1, 2022 through August 31, 2023, subject to the County Attorney's approval as to form and content.

School	Case Management	Parent Ed	Total Cost
Gananda	5	0	\$5,000
Pal-Mac	10	0	\$10,000
Total	15	0	\$15,000

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

RESOLUTION 501-22: AUTHORIZATION TO SIGN AGREEMENT WITH CHILD CARING INSTITUTION MERCY FIRST FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Donalty presented the following:

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

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

WHEREAS, the Wayne County Department of Social Services needs to have in place

an agreement facilities to effectuate a child's placement on a timely basis; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Mercy First for the timeframe 7/1/22-6/30/25 subject to the County Attorney's approval as to form and content for an amount not to exceed \$275,000.

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

RESOLUTION 502-22: AUTHORIZATION TO ACCEPT FUNDING FROM THE WAYNE COUNTY OFFICE OF MENTAL HEALTH AND AMEND THE 2022 COUNTY BUDGET TO ESTABLISH A VETERAN PEER SUPPORT PROGRAM

Mr. Donalty presented the following:

WHEREAS, the Wayne County Board of Supervisors adopted Resolution 420-22 authorizing Wayne County Veterans Service Agency to enter into a contract with, and receive funding from, Wayne County Office of Mental Health totaling \$100,000, to establish a Veteran Peer Support Program 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 Veterans Service Agency Director wishes to proceed with the contract with the Office of Mental Health for the purposes of the provision of mental health related services within the work scope activities as noted in the previous paragraph, and for receipt of funding not to exceed the amount of \$100,000.00; and

WHEREAS, the initial contract period is effective August 15, 2022 to March 31, 2023, not to exceed the listed funding amount in accordance with the 2022 State funding award amount, with final amounts being subject to the availability of funds in the SFY 22-23 Enacted Budget; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a contract between the Wayne County Veterans Service Department and the Wayne County Office of Mental Health to establish a Veteran Peer Support Program for the provision of mental health related services to veterans of Wayne County, and the contract being subject to the County Attorney's review as to form and content; and be it further

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

A6510 Veteran Services

(Revenues)

\$100,000 to 42770 Misc Revenues

(Appropriations)

\$100,000 to 54400 Contracted Services

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

RESOLUTION 503-22: AUTHORIZATION TO ISSUE RFP FOR IMPLEMENTATION OF PFC JOSEPH P. DWYER VETERAN PEER SUPPORT PROGRAM

Mr. Donalty presented the following:

WHEREAS, Wayne County Veterans Service Agency received funding from Wayne County Office of Mental Health totaling \$100,000, to establish a Veteran Peer Support Program 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 Wayne County Veterans Service Agency Director and the Director of Office of Mental Health have reviewed the needs and tasks to be addressed in association with the implementation of a Wayne County Veteran Peer Support Program, and have concluded

that the most efficient manner to implement said program is through an agency or firm whose sole focus for the Veterans Agency is to act as a Peer Support Manager, by developing a Peer Support program for the provision of mental health related services in Wayne County; and

WHEREAS, said agency or firm would function as an independent contractor, and not a County employee, for a period currently estimated at one year, to be determined based off subsequent NYS allocations, and will require the use of a County badge and office space within the Veterans Service Agency; and

WHEREAS, said agency will provide monthly reports to the Veterans Service Agency Director, who will then provide quarterly and yearly reports to Director of Office of Mental Health; now, therefore be it

RESOLVED, the Board of Supervisors hereby authorizes the release of an RFP (Request for Proposals), seeking a qualified agency to act as a Peer Support Manager and independent contractor to develop a Veteran Peer Support Program in Wayne County, with said RFP to be developed with the assistance of, and released by, the County Purchasing Agent.

A6510 Veteran Services

(Revenues)

\$100,000 to 43305 NYS Grants

(Appropriations)

\$100,000 to 54400 Contracted Services

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

RESOLUTION 504-22: AUTHORIZATION TO ACCEPT GRANT AWARD AND EXECUTE CONTRACT WITH THE NEW YORK STATE OFFICE OF VICTIM SERVICES

Mr. Verno presented the following:

WHEREAS, Resolution 125-22 authorized Wayne County to submit an application in response to a request for proposal issued by New York State Office of Victim Services under the Victims of Crime Act (VOCA), and

WHEREAS, the Wayne County District Attorney's Office of Victim Services submitted said application, and

WHEREAS, that on August 1, 2022, the New York State Office of Victim Services awarded Wayne County an amount of \$324,827.90 for the period October 1, 2022 through September 30, 2025 with annual award amounts of \$108,275.97 each year, and

WHEREAS, the grant requires a minimum 20% local match for each of years 2 and 3 of the grant, and

WHEREAS, the amount of the local match necessary to meet the minimum expenses for the three year program is equal to \$53,785.90; and

WHEREAS, the actual county cost of the Wayne County Victim Services is \$53,785.90, now, therefore be it

RESOLVED, that Wayne County hereby agrees to accept the funding of \$324,827.91 offered by New York State Office of Victim Services; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement with the State of New York to accept the agreement, subject to the approval of the County Attorney as to form and content.

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

EXECUTIVE SESSION

Mr. Lasher motioned to enter into Executive Session at 9:47 a.m. to discuss matters regarding collective bargaining. Seconded by Mr. Donalty. Upon roll call, carried.

REGULAR SESSION

Mr. Chatfield motioned to enter into Regular Session at 10:44 a.m., seconded by Mr. Lasher. Upon roll call, carried.

ADJOURNMENT:

The next scheduled Board Meeting is **Tuesday, October 18, 2022 at 9:00 a.m. in the Supervisors Chambers.** On motion of Mr. Brady and seconded by Mr. Mettler the Board adjourned the meeting at 10:45 a.m. Carried.

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