

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

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

Upon roll call, all Supervisors were present except for Supervisor Spickerman.

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

**APPROVAL OF MINUTES:**

Mr. Lasher moved, seconded by Mr. Chatfield, to waive the reading of the minutes of the September 21, 2021 and October 12, 2021 meetings and approve them as distributed. Upon roll call, carried.

**COMMUNICATIONS:**

A certified resolution was received from Oswego County regarding the open public comment period on the draft management plan and draft environmental impact study for the proposed Lake Ontario National Marine Sanctuary.

The Sheriff's Office Cash Receipts Report dated September 15, 2021 totaling \$9,991.43 was received and filed.

The County Auditor's Accounts Payable Report for monthly utilities, miscellaneous payments including the September, 2021 warrants for accounts payable, totaling \$4,835,645.26 was received and filed.

A thank you note was received from Christine Verkey and family for the donation to the Wayne County Humane Society in memory of Chuck Verkey.

Mrs. Jacobs moved, seconded by Mr. Eygnor, that the October, 2021 communications be received and filed. Motion carried.

**PROCLAMATION**

Sheriff Virts, District Attorney Michael Calarco representatives from the Victim Resource Center of the Finger Lakes Inc., presented the proclamation to acknowledge Domestic Violence Awareness Month – October 2021.

**PRESENTATIONS**

Alex DeRosa, Relationship Specialist and Joseph Rulison, CEO and Co-Founder of **Three+One Advisors** acknowledged the hard work of Wayne County Treasurer, Patrick Schmitt and his dedicated staff, for Wayne County being the recipient of the 2021 prestigious **90+ cashVest® Award**. This award is for being in the top 10 percentile of how the county's equity is handled, setting the pace for other municipalities to follow; and ultimately saving and earning more money for Wayne County taxpayers.

Wayne County Treasurer, Patrick Schmitt, updated the Board on the American Rescue Plan Act (ARPA). The County officially accepted \$8.4 million in funding for 2021 and \$8.4 million in 2022 through this Federal program. The Board of Supervisors appointed a Committee to accept and review projects requesting funding through this grant. The Committee consist of Mr. Schmitt, Supervisors Miller and Leonard, Fiscal Assistant Kristen Scott, County Administrator House and Fiscal Assistant Brian Sams. At the same time, the County hired a fiscal manager to assist the County in the appropriate expenditure of these funds. Of these funds, half can be utilized for partially restricted projects and the other half for fully restricted projects. Mr. Schmitt reviewed all requests the Committee received for ARPA funded projects; they totaled approximately \$40 million. The Committee agreed not to consider projects that are already funded in the County's 2022 budget, they would not fund the purchase of vehicles, they would look positively upon projects that are a benefit to taxpayers and have a return on their investment. The projects approved by the ARPA Committee still need approval through the County's Committee/Board process. The ARPA Committee will continue to meet after projects are selected to make certain funding is being utilized within its timeframe and to prepare for the distribution of the 2022 appropriation.

Gene Bavis and Rosa Fox, co-chairs of the Wayne County Bicentennial Committee updated the Board on recent activities. The 200<sup>th</sup> anniversary of Wayne County has been in the planning stages since 2018. A Bicentennial Committee was formed and have been working to make the events that will be occurring through 2023 a celebration for life in the County. They are working with a County appropriation and two separate grant sources. Each Supervisors was presented with a street sign depicting the County's Bicentennial logo and a 2022-23 Bicentennial calendar.

**PRIVILEGE OF THE FLOOR**

There was no public comment for agenda items this morning.

**RESOLUTION 476-21: AUTHORIZATION TO SIGN AGREEMENT WITH CHILD CARING INSTITUTION –THE HOUSE OF THE GOOD SHEPHERD FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

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

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

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement with The House of the Good Shepherd for the timeframe 10/1/21-9/30/24 for the purchase of foster care for children, subject to the County Attorney's approval as to form and content for an amount not to exceed \$275,000 or \$91,666 per year.

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

**RESOLUTION 477-21: AUTHORIZATION TO SIGN AGREEMENT WITH WAYNE BEHAVIORAL HEALTH NETWORK (WBHN) FOR THE PROVISION OF ASSESSMENTS OF YOUTH TO BE CONDUCTED BY AN APPROVED QUALIFIED INDIVIDUAL (QI) TO DETERMINE APPROPRIATENESS OF PLACEMENT IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM (QRTP)**

Mr. Verno presented the following:

WHEREAS, the New York State Office of Children and Family Services (NYS OCFS) in accordance with the federal Family First Prevention Services Act (FFPSA) has enacted state standards that require the use of Qualified Individual's (QI's) to conduct a review and assessment of situations which require the possible placement of children in Qualified Residential Treatment Programs (QRTPs) for the purpose of determining the appropriateness of such placement; and

WHEREAS, effective September 29, 2021, the Qualified Individual's assessment must be utilized in every instance that would necessitate a child's placement in a QRTP in instances of placements including: voluntary under State Social Services Law; Family Court Ordered; for the placement of individuals determined to be JD or PINS; in matters of child protective placements; for Article-10b re-entry cases; or in the cases of destitute children; and

WHEREAS, NYS OCFS has implemented a process allowing local departments of social services (LDSSs) to identify, recruit and procure the services of a QI independent of the state identified QI providers, and does allow for the ability of a LDSS to attest to the qualifications of a locally identified QI; and

WHEREAS, Wayne Behavioral Health Network (WBHN) does maintain clinical staff that meet the minimum requirements identified by NYS OCFS as necessary to perform the functions of the QI; and

WHEREAS, it is in the best interest of Wayne County Department of Social Services (WCDSS) to maintain contracts with multiple providers; and

WHEREAS, WCDSS is interested in contracting with WBHN for the purpose of providing QI services; and now therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement with Wayne Behavioral Health Network for the time frame 9/28/2021-12/31/2022 for the provision of assessments to be conducted by an approved QI to determine appropriateness of placement for Foster children into a QRTP, subject to the County Attorneys approval as to form and content for an amount not to exceed \$25,000.

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

**RESOLUTION 478-21: AUTHORIZATION TO CONTRACT WITH VICTIM RESOURCE CENTER OF THE FINGER LAKES, INC. FOR NON- RESIDENTIAL DOMESTIC VIOLENCE SERVICES**

Mr. Verno presented the following:

WHEREAS, Wayne County Department of Social Services (Wayne DSS) is required to provide services to victims of Domestic Violence, and

WHEREAS, Victim Resource Center of the Finger Lakes, Inc. is a certified Domestic Violence agency that has provided both residential and non-residential services to Domestic Violence victims for a number of years in Wayne County, and

WHEREAS, Wayne DSS receives reimbursement from NY State for such services, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement with Victim Resource Center of the Finger Lakes, Inc., subject to the County Attorney's approval as to form and content, for the provision of Non-Residential Domestic Violence Services during the period 1/1/21 - 12/31/21 subject to a maximum contract amount of \$25,000.

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

**RESOLUTION 479-21: AUTHORIZATION TO EXECUTE CONTRACT WITH CHILD CARE COUNCIL, INC. IN RELATION TO CHILD CARE DEVELOPMENT BLOCK GRANT PROJECT FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

October 19, 2021

Mr. Verno presented the following:

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

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

WHEREAS, NYS OCFS provides Child Care and Development Block Grant (CCDBG) funds in the amount of \$123,662 to Wayne County Department of Social Services to subcontract for these services and Wayne County Department of Social Services retains \$3,513 to offset overhead costs of administering the program; therefore be it

RESOLVED that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a subcontract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Child Care Council, Inc. for the provision of services required by the Contract between the Wayne County Department of Social Services and the New York State Office of Children and Family Services for the period 1/1/21 to 12/31/21 for a cost not to exceed \$120,149.

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

**RESOLUTION 480-21: AUTHORIZATION TO ACCEPT ADDITIONAL ALLOCATION FROM FINGER LAKES WORKFORCE INVESTMENT BOARD (FLWIB) FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) TITLE 1 YOUTH FUNDING AND SIGN AMENDED AGREEMENT**

Mr. Verno presented the following:

WHEREAS, The Wayne County Department of Social Services (WCDSS) is currently providing youth services as authorized by Res. #283-21; and

WHEREAS, the Finger Lakes Workforce Investment Board (FLWIB) has notified the Agency of its intent to increase the allocation by \$24,781; and

WHEREAS, we are desirous of the opportunity to expand and enhance services as a result of the additional allocation; now, therefore be it

RESOLVED, that the Commissioner of WCDSS is hereby authorized to accept the additional funds; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized upon review and approval of the County Attorney's Office to sign the amended 7/1/21-6/30/22 agreement.

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

**RESOLUTION 481-21: AUTHORIZATION TO ENTER INTO AN EMERGENCY CONTRACT WITH K&L MEDICAL TRANSPORTATION, LLC FOR DIALYSIS TRANSPORTATION FOR THE DEPARTMENT OF AGING AND YOUTH**

Mr. Verno presented the following:

WHEREAS, the Department of Aging and Youth became aware of an emergency situation with the closing of a local dialysis center and seniors unable to secure transportation to their new dialysis facility, and

WHEREAS, the department reached out to local transportation providers to see who would be able and willing to cover the transportation needs of these elderly dialysis patients, and

WHEREAS, K & L Medical Transportation, LLC agreed to transport two Wayne County seniors to their dialysis appointments in Geneva for \$75 per one way trip, and

WHEREAS, the department has stimulus funding that can be used to cover the cost of these rides on a short-term basis to allow the patients and their family's time to secure a more permanent option, therefore be it

RESOLVED that the Department of Aging and Youth is approved to enter into an emergency contract with K & L Medical Transportation, LLC for transportation of two Wayne County seniors to dialysis appointments in Geneva during the months of October and November using up to \$8,000 of stimulus funding; and be it further

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

**Account A6772-Office for Aging**

(Appropriations)

\$8,000 from 54891 Other Direct Expenses

\$8,000 to 54400 Contracted Services

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

**RESOLUTION 482-21: AUTHORIZATION TO ENTER INTO AN EMERGENCY CONTRACT WITH JET KARRIERS FOR DIALYSIS TRANSPORTATION FOR THE DEPARTMENT OF AGING AND YOUTH**

Mr. Verno presented the following:

WHEREAS, the Department of Aging and Youth became aware of an emergency situation with the closing of a local dialysis center and seniors unable to secure transportation to their new dialysis facility, and

WHEREAS, the department reached out to local transportation providers to see who would be able and willing to cover the transportation needs of these elderly dialysis patients, and

WHEREAS, the Jet Karriers agreed to transport two Wayne County seniors to their dialysis appointments in Geneva for \$100 per one way trip, and

WHEREAS, the department has stimulus funding that can be used to cover the cost of these rides on a short term basis to allow the patients and their families' time to secure a more permanent option, therefore be it

RESOLVED that the Department of Aging and Youth is approved to enter into an emergency contract with Jet Karriers for transportation of two Wayne County seniors to dialysis appointments in Geneva during the months of October and November using up to \$5,000 of stimulus funding; and be it further

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

**Account A6772-Office for Aging**

(Appropriations)

\$5,000 from 54891 Other Direct Expenses

\$5,000 to 54400 Contracted Services

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

**RESOLUTION 483-21: AUTHORIZATION TO ENTER INTO AN EMERGENCY CONTRACT WITH DEPENDABLE MEDICAL TRANSPORTATION FOR DIALYSIS TRANSPORTATION FOR THE DEPARTMENT OF AGING AND YOUTH**

Mr. Verno presented the following:

WHEREAS, the Department of Aging and Youth became aware of an emergency situation with the closing of a local dialysis center and seniors unable to secure transportation to their new dialysis facility, and

WHEREAS, the department reached out to local transportation providers to see who would be able and willing to cover the transportation needs of these elderly dialysis patients, and

WHEREAS, the Dependable Medical Transportation company agreed to transport two Wayne County seniors to their dialysis appointments in Irondequoit for \$150 per one way trip, and

WHEREAS, the department has stimulus funding that can be used to cover the cost of these rides on a short term basis to allow the patients and their families' time to secure a more permanent option, therefore be it

RESOLVED that the Department of Aging and Youth is approved to enter into an emergency contract with Dependable Medical Transportation for transportation of two Wayne County seniors to dialysis appointments in Irondequoit during the months of October and November using up to \$15,000 of stimulus funding; and be it further

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

**Account A6772-Office for Aging**

(Appropriations)

\$15,000 from 54891 Other Direct Expenses

\$15,000 to 54400 Contracted Services

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

**RESOLUTION 484-21: AUTHORIZING ANNUAL HISTORICAL LICENSE AND AGREEMENT WITH P&NP COMPUTER SERVICES, INC. AND WAYNE COUNTY NURSING HOME**

Mrs. Jacobs presented the following:

WHEREAS, P&NP Computer Services, Inc. is the provider of Wayne County Nursing Home's former billing software; and

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

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute an agreement on behalf of the Wayne County Nursing Home, with P&NP Computer Services, Inc. for the Annual Historical License and Agreement effective July 1, 2021 to June 30, 2022 subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 485-21: AUTHORIZATION TO CONTRACT WITH NORTHEAST MEDICAL REPAIRS FOR OXYGEN SUPPLY SERVICE AT THE WAYNE COUNTY NURSING HOME**

Mrs. Jacobs presented the following:

WHEREAS, the contract with Northeast Medical Repairs, Inc. for the provision of oxygen services expires December 31, 2021; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for oxygen services for the Wayne County Nursing Home in accordance with the provisions of Section 103 of the General Municipal Law; and

WHEREAS, bids were opened on Thursday September 23, 2021 at 2 p.m. and the following bids were received:

Northeast Medical Repairs- Only Bid

RESOLVED, that the sole bid submitted by Northeast Medical Repairs in the amounts below is in accordance with specifications, is hereby accepted; and be it further

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute a contract on behalf of the Wayne County Nursing Home, with Northeast Medical Repairs for the provision oxygen service for the period January 1, 2022 through December 31, 2024, subject to the County Attorney's approval as to form and content.

ITEMS	DESCRIPTION	2022	2023	2024
#1	5 Liter Oxygen Concentrator +/- 25 units	\$19.00/mo.	\$20.00/mo.	\$20.00/mo.
#2	10 Liter Oxygen Concentrator	\$125.00/ mo.	\$125.00/ mo.	\$130.00/ mo.
#3	CPap Unit	\$100.00/ mo.	\$100.00/ mo.	\$100.00/ mo.
#4	BiPap s unit	\$185.00/ mo.	\$185.00/ mo.	\$200.00/ mo.
#5	BiPap st unit	\$265.00/ mo.	\$265.00/ mo.	\$285.00/ mo.
#6	Bipap s Auto unit	\$210.00/ mo.	\$210.00/ mo.	\$210.00/ mo.
#7	Half Face Mask	\$190.00/ mo.	\$190.00/ mo.	\$190.00/ mo.
#8	Full Face Mask	\$190.00/ mo.	\$190.00/ mo.	\$190.00/ mo.
#9	Ambulatory Oxygen "E" w/built in regulator	\$2.40/per fill	\$2.50/per fill	\$2.50/per fill
#10	Grab and Go Oxygen Cylinders	\$2.40/per fill	\$2.50/per fill	\$2.50/per fill
#11	Cylinder Rental Charges	\$0.00	\$0.00	\$0.00
#12	Portable Oxygen Concentrator	\$210.00/ mo.	\$210.00/ mo.	\$210.00/ mo.
#13	Hazmat/Delivery Charges	\$27.00/per visit	\$27.00/per visit	\$27.00/per visit

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

**RESOLUTION 486-21: AUTHORIZATION TO AWARD SCHOOL TESTING COORDINATOR RFP AND CONTRACT WITH LANEY JOHNSON TO PERFORM SCHOOL COVID-19 TESTING COORDINATOR SERVICES**

Mrs. Jacobs presented the following:

WHEREAS, Wayne County Public Health (WCPH) has received funding through the American Rescue Plan Act of 2021 under the Epidemiology and Laboratory Capacity (ELC) School reopening program, to support safe, in-person instruction in kindergarten through grade 12 (K-12) schools by supporting schools to detect and prevent the transmission of Coronavirus Disease 2019 (COVID-19); and

WHEREAS, WCPH has identified the need for additional help for coordinating this funding and to provide assistance to participating Wayne County school districts, as outlined in the approved work plan; and

WHEREAS, Resolution 403-21 authorized the release of a request for proposals for a school testing coordinator and additionally authorized a short-term contract for same said services while the RFP process was ongoing, which is set to expire October 31, 2021; and

WHEREAS, two proposals were received and the following hourly rates were proposed; and

Laney Johnson, Fairport, NY	\$30/hr.
AM, LLC, Leesburg, VA	\$85.33/hr.

WHEREAS, proposals were evaluated by WCPH staff based on selection criteria set forth in the RFP and it has been determined it is in the County's best interest to contract with Laney Johnson; now therefore be it

RESOLVED, the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract with Laney Johnson to perform School Testing Coordinator duties, in accordance with the RFP and the proposal received, for the period of November 1, 2021 to July 31, 2022, at a rate not to exceed \$30 per hour, subject to the approval of the County Attorney as to form and content; and be it further

RESOLVED, that the contract will have an option to renew for one (1) additional year, at the same terms and conditions, contingent on the potential need to continue testing coordination services in the 2022-2023 school year and available funding for such.

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

**RESOLUTION 487-21: AUTHORIZATION TO ENTER INTO COLLECTIVE BARGAINING WITH TEAMSTERS, LOCAL 118 FOR CORRECTIONS UNIT AND DEPUTY UNIT**

Mr. Emmel presented the following:

WHEREAS, the Teamsters Local 118, Corrections Unit and Deputy Unit collective bargaining agreements will expire on December 31, 2021; and

WHEREAS, the Union President has notified the County that the units desire to negotiate a successor agreement; and

WHEREAS, Wayne County also desires to negotiate these agreement, now, therefore be it

RESOLVED, that the Chairman of the Board is hereby authorized to appoint three members of the Board, the County Administrator, and the Director of Human Resources to be members of the County's negotiating team; and be it further

RESOLVED, that the Board of Supervisors hereby designates counsel from the firm of Hancock Estebrook to be the County's Chief spokesman and negotiator for these negotiations.

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

**RESOLUTION: 488-21: AUTHORIZATION TO REAPPOINT MEMBER TO THE WAYNE COUNTY BOARD OF ETHICS**

Mr. Emmel presented the following:

WHEREAS, the Wayne County Compliance Ethics Policy requires the establishment of a Board of Ethics; and

WHEREAS, the purpose of the Board of Ethics is to serve in the capacity of an advisory committee to render opinions to officers and employees of the County of Wayne with respect to article 18 of the General Municipal Law and the Wayne County Code of Ethics; and

WHEREAS, the Board of Ethics shall consist of five members, a majority of whom shall not be officers or employees of the municipality, but at least one of whom must be a municipal officer or employee; and

WHEREAS, The members of such Board of Ethics shall be appointed by the Wayne County Board of Supervisors, serve five (5) year terms, and receive no salary or compensation for their services as members of the Board of Ethics; and

WHEREAS, Pastor Timothy Young's Board of Ethics term expires on December 31, 2021; and

WHEREAS, Pastor Timothy Young, has a demonstrated history of consistent high standards of ethics and is a respected citizen of Wayne County and has provided outstanding insights and contributions as a member of the Board of Ethics; now therefore, be it

RESOLVED, that Pastor Timothy Young be reappointed as a member of the Wayne County Board of Ethics until his term expire on December 31, 2026.

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

**RESOLUTION 489-21: AUTHORIZATION TO ADOPT WAYNE COUNTY PERSONAL APPEARANCE POLICY**

Mr. Emmel presented the following:

RESOLVED, effective immediately the Wayne County Board of Supervisors hereby adopts the following Wayne County Personal Appearance Policy; and be it further

RESOLVED, that the Personal Appearance Policy shall be posted in each County agency or department and County internal webpage; and be it further

RESOLVED, that the Human Resource Office shall be responsible for distribution of copies of the Personal Appearance Policy to all employees at the time of new hire orientation.

**Wayne County Personal Appearance Policy**

To provide standards for Wayne County employees regarding personal appearance in the workplace that is reasonable and fair. All Wayne County employees are expected to maintain a personal appearance in the work place that is respectful, businesslike image appropriate for the position they hold, the work they perform, the customer they service and for their work location.

Due to the great diversity in the roles and work locations throughout our operations, it is impractical to prescribe personal appearance requirements for all county employees. However, it is appropriate to set forth a personal appearance policy to assist managers and employees in determining appropriate personal appearance standards.

Wayne County is committed to ensuring that the personal appearance policy is not discriminatory, is applied equally to all races, religions and genders, and will accommodate to the extent possible, exceptions based on disability, race, including traits associated with race, religion, ethnicity, or for cultural and /or health reasons. If an employee requires an accommodation the employee should discuss with department head and /or Human Resources.

**PERSONAL HYGIENE:**

- Good personal hygiene practices must be followed.
- Hair should be neat and clean. Facial hair must be groomed and neatly trimmed.
- Some people are allergic to perfumes and after-shave lotions. These scents should be used sparingly or not at all if a co-worker has a sensitivity to them.

**CLOTHING and FOOTWEAR:**

- Appropriate business casual clothes must be clean, neat, properly fitted and appropriate to the position held.
- Employees who wear uniforms are expected to report to duty in the department-assigned uniform. County issued uniforms are expected to be neat and without frays, tears or holes.
- Footwear should be chosen for safety and professional image.

**Acceptable work attire includes:**

- Dress shirt, blouses, sweaters, golf type shirts
- Dress slacks, capri pants, chinos, Dockers
- Dresses/skirts
- Sport coat/blazer

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- Dress shoes, designer sandals, casual shoes
- County issues attire

Professional Business Attire is required for court appearances, off-site meetings, trainings and other situations where an employee will have interaction with the public in a professional setting.

Unacceptable work attire includes, but is not limited to:

- Athletic wear and beach wear, i.e., spandex, tank tops, athletic tee shirts, sweatshirt/sweatpants, shorts, etc.
- Cropped pants where the length falls at or above knee level
- Cropped shirts, halter or backless tops
- Blue jean denim, camouflage style pants
- Tight fitting or revealing slacks, pants or tops
- Any article of clothing with printed messages, except small manufacture logo
- Hats, of any type unless part of an employee's uniform
- Flip flops, beach sandals, water shoes, TEVA style sandals

Field Work Attire applies to situations where uniforms are not mandatory and employees are entering client's homes ("home visits"). Business casual dress should be observed for field work, although the county recognizes the issues of practicality, comfort and, most importantly safety, in performing job functions. Clothing that could potentially compromise and employee's safety should be avoided at all times while doing field work.

Each Department Head and/or County Administrator has the ability to deviate from this policy based on specific tasks, special charitable events e.g. "jean day", "sport team shirt day" or situations personnel may be assigned to. In the event that jeans are permitted, jeans are expected to be neat and without frays, tears or holes. The standard of dress, including prohibited clothing, should be adhered to even on days when denim is permitted. On those designated days Business Attire is required for court appearances, offsite meetings, trainings and other situations where an employee will have interaction with the public in a professional setting.

Issues arising out of the interpretation and/or enforcement of this policy shall be first made by the Department Head and/or Supervisor. If issues pertaining to the interpretation and/or enforcement of this policy continue to persist, the matter will be discussed at labor management meetings with the Union and Labor Relations.

Adopted 10/19/21

Mr. Eygnor moved the adoption of the resolution. Seconded by Mrs. Bender. All supervisors voted Aye, except for Supervisor Kolczynski who voted Nay. Upon roll call, the Chairman declared the resolution adopted.

**RESOLUTION 490-21: AUTHORIZATION TO SELECT BROADBAND PARTNER AND ENTER INTO NEGOTIATIONS**

Mr. Groat presented the following:

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

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

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

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

WHEREAS, the Broadband committee has reviewed responses and interviewed potential internet service providers to identify the partner best positioned to close the gap, and has identified Charter Communications Inc. to be the recommended partner to the County, now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the Broadband Committee to enter in to negotiations with Charter Communications Inc. to refine the scope of their proposal and to negotiate costs, terms, and conditions of a partnership agreement with the County, to bring a final partnership agreement including costs, terms, and conditions subject to approval of the board of supervisors.

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

**RESOLUTION 491-21: AUTHORIZATION TO RENEW TRAIL LICENSE WITH ROCHESTER GAS AND ELECTRIC CORPORATION**

Mr. Groat presented the following:

WHEREAS, a selection of abandoned railroad property, located as shown on a map filed with the Clerk of the Board's office and formerly leased from Rochester Gas and Electric Corporation ("RG&E") by Ontario Midland Railroad Corporation, is an important link in establishing a countywide multi-use trail network; and

WHEREAS, Wayne County has had a Trail License with Rochester Gas and Electric Corporation ("RG&E") for use of the property as a multi-use trail since September, 2001 that allowed the County to develop and maintain a multi-use trail along RG&E property No. 1108

between the Villages of Wolcott and Red Creek as authorized by Wayne County Board Resolutions 363-99 and 726-05; and

WHEREAS, the County received a \$70,000 Recreational Trails Grant through NYS Office of Parks and Recreation and Historic Preservation (OPRHP) for trail development that included redecking of the bridge in Red Creek; and

WHEREAS, the current expiration date of this License is December 31, 2022; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval to form and content, with RG&E for use of this property as a multi-use trail.

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

**RESOLUTION 492-21: AUTHORIZATION TO RENEW LEASE WITH ONTARIO MIDLAND RAILROAD CORPORATION**

Mr. Groat presented the following:

WHEREAS, the Ontario Midland Railroad Corporation ("OMID") has operated and maintained Wayne County owned railroad property under a lease arrangement ("the Lease") with Wayne County since 1981; and

WHEREAS, the current lease expires on October 1, 2021; and

WHEREAS, OMID is the only railroad company currently designated by the federal Surface Transportation Board and the New York State Department of Transportation to operate on the railroad lines owned by the County; and

WHEREAS, the continuation of the lease with OMID will avoid interruption of service for existing customers of the railroad while continuing to provide rail service to the benefit of the County's economy; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes the Chairman to execute a lease agreement with OMID for the continued operation of the County owned railroad line for a term of five (5) years, for the contract period October 1, 2021 – September 30, 2026, subject to approval as to form and content by the County Attorney.

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

**RESOLUTION 493-21: AUTHORIZATION TO DESIGNATE TOURISM PROMOTION AGENT**

Mr. Groat presented the following:

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

RESOLVED, that the Wayne County Office of Tourism and Promotion is hereby designated as the 2022 TPA for the purpose specified in the New York State Promotion Act; and be it further

RESOLVED, that the Director of Wayne County Office of Tourism and Promotion, Christine Worth, is hereby designated as Project Director for Wayne County for 2022.

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

**RESOLUTION 494-21: AUTHORIZATION TO CLOSE COMPLETED 2021 CONSTRUCTION PROJECTS AND AMEND THE PUBLIC WORKS DEPARTMENT 2021 BUDGET**

Mr. Chatfield presented the following:

WHEREAS, various Highway Construction Projects have been completed in 2021 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 2021 budget as follows:

**D5112-ROAD CONSTRUCTION:**

\$103,502.78 from .52600 Highway Construction  
\$1,000 from .52669 East Port Bay Retaining Wall Project  
\$21,609.52 from .52663 21-30 Surface Treating Project  
\$132,683.67 from .52664 21-31 Sodus Center/Maple Ave  
\$5,083.41 from .52664 21-38 Surface Treating A  
\$33,790.49 from .52664 21-40 South Lincoln Recycle Project  
\$132,881.04 to .52663 20-71 Stoney Lonesome Rd Project  
\$35,102.80 to .52664 21-36 Travell Knapps Corners Recycle Project  
\$18,680.60 to .52664 21-39 Travell Knapps Corners Chip Seal Project  
\$18,429.37 to .52664 21-43 Woods Rd Recycle & Paving Project  
\$43,833.25 to .52664 21-44 Kenyon Rd Recycle & Paving Project  
\$34,731.88 to .52664 21-45 North Lincoln Rd Recycle Project  
\$14,010.93 to .52664 21-46 Stoney Lonesome Rd Surface Treating Project

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:**

.52669 East Port Bay Retaining Wall Project

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.52663 20-71 Stoney Lonesome Rd Project  
.52663 21-30 Surface Treating Project  
.52664 21-31 Sodus Center/Maple Ave Project  
.52664 21-36 Travell Knapps Corners Recycle Rd Project  
.52664 21-38 Surface Treating A  
.52664 21-39 Travell Knapps Corners Chip Seal Project  
.52664 21-40 South Lincoln Recycle Project  
.52664 21-43 Woods Rd Recycle & Paving Project  
.52664 21-44 Kenyon Rd Recycle & Paving Project  
.52664 21-45 North Lincoln Rd Recycle Project  
.52664 21-46 Stoney Lonesome Rd Surface Treating Project

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

**RESOLUTION 495-21: AUTHORIZE COUNTY/TOWN CONTRACTS FOR SNOW AND ICE CONTROL ON WAYNE COUNTY HIGHWAYS**

Mr. Chatfield presented the following:

WHEREAS, as in previous years, Wayne County is proposing to enter into an agreement with the towns for towns to provide snow and ice services to the County for the period beginning on January 1, 2022 and ending on December 31, 2022; and

WHEREAS, the towns charges to the County will be based on the number of trips taken, times an average per trip cost, which will include both time and materials costs expended by each town per trip, and will be negotiated separately with each town, and

WHEREAS, the towns will be required to keep a log of trips that will be submitted to the county for reimbursement on a monthly basis; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute County/Town contracts for snow and ice control on County Highways during 2022, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 496-21: AUTHORIZATION TO APPROVE THE CRESCENT BEACH REDI PROJECT**

Mr. Chatfield presented the following:

WHEREAS, the Wayne County Board of Supervisor adopted Resolution Nos.619-19,225-20, and 146-21 authorizing an agreement with Barton and Loguidice (B&L) for detailed design for the Crescent Beach REDI project the Towns of Sodus and Huron; and

WHEREAS, B&L has prepared design plans and specifications with sufficient detail to be issued for bidding; and WHEREAS, B&L has provided a detailed project estimate in the amount of \$13,518,000; and

WHEREAS, B&L is expected to have final bid documents ready by mid October 2021; and

WHEREAS, the Board of Supervisors has already funded this project with \$14,630,000 by establishing a Capital Project Account in the H Fund in 2019 for the design and construction of the Crescent Beach REDI project (RES 617-19); now, therefore be it

RESOLVED, the Wayne County Board of Supervisors hereby approves the Crescent Beach REDI project; and be it further

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bid in accordance with specifications prepared by the Superintendent of Public Works and subject to the Purchasing Clerk and County Attorney's approval as to form and content; and be it further

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

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

**RESOLUTION 497-21: AUTHORIZATION TO SET HOURLY RATE FOR MECHANICAL WORK IN THE CENTRAL GARAGE**

Mr. Chatfield presented the following:

WHEREAS, The Central Garage is currently charging a rate of \$47.00 per hour for all service performed on all County vehicles and \$56.00 per hour for all non-County agencies (except WATS), and

WHEREAS, this fee structure has been in place since January 1, 2019, and

WHEREAS, there is currently an agreement in place that sets the annual service rate for WATS vehicles, and

WHEREAS, it is appropriate to increase the rates for all other users, now, therefore be it RESOLVED, that the billing rate for all County vehicles be \$50.00 per hour and the billing rate for all non-County agencies be \$61.00 per hour beginning on January 1, 2022.

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

**RESOLUTION 498-21: AUTHORIZATION TO AWARD TERM CONTRACTS FOR CONSTRUCTION ADMINISTRATION SERVICES FOR VARIOUS FUTURE COUNTY PROJECTS**

Mr. Chatfield presented the following:

WHEREAS, the Superintendent of Public Works has issued a Request for Qualifications (RFQ) for Construction Administration as per the needs of the Public Works Department for October 19, 2021

various projects, meeting a predetermined criteria for the purpose of putting firms on a term contract for future needed services; and

WHEREAS, five proposals were received in response to the RFQ; and

WHEREAS, A committee conducted a review of proposals received for these services; and

WHEREAS, as a result of the evaluation of the proposals, the Committee recommended term contracts be approved for Watchdog Building Partners and C&S Engineers, Inc. to provide said services; and

WHEREAS, once a project is identified needing these services a fee will be negotiated with one of the firms listed above; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby accepts the recommendation of the Committee; 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 Watchdog Building Partners and C&S Engineers, Inc., and be it further

RESOLVED, that the term of the contracts shall be five years commencing on November 1<sup>st</sup>, 2021.

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

**RESOLUTION 499-21: AUTHORIZATION TO ESTABLISH SINGLE SOURCE VENDORS FOR THE PUBLIC WORKS DEPARTMENT**

Mr. Chatfield presented the following:

WHEREAS, The Public Works Department has several buildings imbedded with the Digital Security Control (DCS) security and panic button system that often requires service, repairs, replacement parts or expansion which are only available from a single source vendor; and

WHEREAS, FingerLakes Security System has installed and maintained this system in seven (7) of the County buildings and is the area representative for DCS; and

WHEREAS, maintaining a single source for the County existing security system provide efficiencies in operator cost, parts interchangeable between buildings, the same system operations across multiple locations and a central monitoring center.

Now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors recognizes FingerLakes Security System as a single source for the repair, replacement parts, service or expansion on the County Digital Security Control systems; and be it further

RESOLVED, that the Superintendent of Public Works is hereby authorized to make a single source purchases from the above listed vendor within the limits defined in the Wayne County purchasing policy; 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 FingerLakes Security System per hourly rates provided; and be it further

RESOLVED, the term of the contract shall be for three (3) years commencing on November 1<sup>st</sup> 2021.

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

**RESOLUTION 500-21: AUTHORIZATION TO ACCEPT THE 2021 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT, AMEND THE BUDGET AND EXPEND FUNDS FOR THE WAYNE COUNTY EMERGENCY MANAGEMENT OFFICE**

Mr. Eygnor presented the following:

WHEREAS, Resolution 020-21 authorized application for the 2021 SHSP; and

WHEREAS, Wayne County has been advised that it has received a 2021 Homeland Security Grant in the amount of \$108,829 with no local match required; and

WHEREAS, this grant program is a Federal Emergency Management Agency grant program administered by the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, \$65,000 of this grant will partially fund a full-time Project Coordinator; and

WHEREAS, the appropriation item for the Project Coordinator is included in the 2022 budget; and

WHEREAS, the \$43,829 balance of this grant will be utilized to purchase cyber security appliances, software licenses, installation support and maintenance; and

WHEREAS, it is necessary to accept the grant and create the Project Account budget to accomplish these purchases; now, therefore, be it

RESOLVED, that the County of Wayne accept the 2021 State Homeland Security Grant in the amount of

\$108,829; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign the required contract documents, subject to the review and approval of the County Attorney; and be it further

RESOLVED, that the Purchasing Agent, in cooperation with the Director of Emergency Management or his designee is authorized to purchase said cyber security appliances, software licenses, installation support and maintenance; in accordance with Wayne County Purchasing Policy; and be it further

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

**A36400 Emergency Management**

(Revenue)

Amount	Object#	Project ID	Object Name	Project Name
\$43,829	to	44302 SHS21	Homeland Security-Federal	Homeland Security Grant

**(Appropriations)**

Amount	Object#	Project ID	Object Name	Project Name
\$7,700	to	54400 SHS21	Contracted Services	Homeland Security Grant
\$36,129	to	54475 SHS21	Software	Homeland Security Grant

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

**RESOLUTION: 501-21: AUTHORIZATION TO ACCEPT A SHORE STATION HYDRAULIC BOAT HOIST AND ASSOCIATED HARDWARE FROM THE UNITED STATES COAST GUARD FOR THE SHERIFF'S OFFICE SODUS POINT SUB-STATION**

Mr. Eygnor presented the following:

WHEREAS, the Wayne County Sheriff's Office has a need for a boat hoist to cradle the 33' Safe Boat while docked at the Sheriff's Office Sodus Point Sub-station; and

WHEREAS, the Sheriff has the opportunity to accept a Shore Station Hydraulic Boat Hoist and associated hardware from the United States Coast Guard to be used at the Sheriff's Office Sodus Point Sub-station; and

WHEREAS, the hoist and associated hardware is in need of repair estimated to be approximately \$19,000 at county expense to later be reimbursed at 50% by the New York State Parks Navigation Program;

WHEREAS, the Shore Station Hydraulic Boat Hoist and associated hardware will be used to cradle the 33' Safe Boat; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to accept the Shore Station Hydraulic Boat Hoist and associated hardware from the United States Coast Guard and expend from the 2022 Sheriff's Office Recreational Safety (3111) budget the cost of the necessary repairs.

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

**RESOLUTION 502-21: AUTHORIZATION TO EXECUTE AN AFFILIATION AGREEMENT WITH KEUKA COLLEGE FOR A STUDENT SOCIAL WORK INTERN FOR PUBLIC DEFENDERS OFFICE**

Mr. Eygnor 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, the Public Defender has agreed to have undergraduate students affiliated at Keuka College, 141 Central Avenue, Keuka Park, New York 14478, 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, and the approximate dates said intern would be working with the Public Defender's Office would be arranged as needed and supervised by Kimberly Golding LMSW, Sentencing Mitigation Specialist; and

WHEREAS, said internships are dependent upon an Affiliation Agreement between the County of Wayne and Keuka College, and

WHEREAS, the Public Defender is requesting an Affiliation Agreement between the County of Wayne and Keuka College be executed; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an Affiliation Agreement for a student internship with Keuka College, 141 Central Avenue, Keuka Park, New York 14478, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 503-21: AUTHORIZATION TO EXECUTE AN AFFILIATION AGREEMENT WITH NAZARETH COLLEGE FOR A STUDENT SOCIAL WORK MITIGATION INTERN FOR PUBLIC DEFENDERS OFFICE**

Mr. Eygnor 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, the Public Defender has agreed to have undergraduate students affiliated with Nazareth College, 4245 East Avenue, Rochester, New York 14618, 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, and the approximate dates said intern would be working with the Public Defender's Office would be arranged as needed and supervised by Kimberly Golding LMSW, Sentencing Mitigation Specialist; and

WHEREAS, said internships are dependent upon an Affiliation Agreement between the County of Wayne and Nazareth College, and

WHEREAS, the Public Defender is requesting an Affiliation Agreement between the County of Wayne and Nazareth College be executed; now, therefore, be it

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RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an Affiliation Agreement for a student internship with Nazareth College, 4245 East Avenue, Rochester, New York 14618, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION 504-21: ADOPTION OF THE WAYNE COUNTY TRAVEL POLICY (SUPERSEDE RES. NOS. 267-18)**

Mrs. Leonard presented the following:

WHEREAS, the current Wayne County Travel Policy is in need of updating based on an annual review of the current policy; and

WHEREAS, updating the policy will increase internal controls over travel expenditures, formalize current procedures and practices, and implement recommendations published by the NYS Comptroller's Office's Travel and Conference Expense Management Guide for Local Government Management, and

WHEREAS, the Wayne County Travel Policy revisions have been drafted by the County Auditor and reviewed by both the County Attorney and County Administrator; now therefore, be it

RESOLVED, that the following Wayne County Travel Policy is hereby adopted and supersedes the policy outlined in Resolution No. 267-18:

**I. PURPOSE**

The purpose of this policy is to establish a formal document, which regulates Wayne County employees, Appointed Officials, and Elected Officials in-County and out-of-County travel, out-of-state travel, travel expense reimbursement, and County vehicle usage. This policy is to help ensure that travel is for legitimate County business, serves a public purpose, reimbursement is made for authorized expenses and the use of County vehicles is required to reduce costs.

Like any use of Public funds, all employees, appointed officials, and elected officials must exercise due care while authorizing and incurring travel related expenses. Employees and officials may be held personally responsible for improper costs incurred. All methods of reimbursement of recovery of inappropriate authorization or request of public funds including reimbursement, garnishment, etc. will be explored in the event that an employee is reimbursed for unauthorized, inappropriate, or fraudulent travel related expense claims.

**II. APPLICABILITY**

This policy applies to all county employees, appointed officials, and elected officials who submit claim requests for reimbursement of travel expenses which is subject to approval by the Board of Supervisors.

**III. GENERAL PROVISIONS**

1. Pursuant to Article 5 Section 77-b(2) of the General Municipal Law and Section 450(3) of the County Law the Board of Supervisors hereby delegates to the County Administrator the power to authorize County officers and employees to attend conferences, conventions, schools, seminars and workshops conducted for the betterment of county government. As long as, the request is approved by the Department Head, within the limits of the departmental appropriations for such purposes per the review of the County Budget Officer; and the request is for travel within the State of New York.

2. All requests for out-of-state travel shall be reviewed by the County Administrator and referred to the department's Standing Committee and the Chairman of the Board of Supervisors. The Board of Supervisors delegates to the department's Standing Committee, and the Chairman of the Board of Supervisors the power to jointly authorize County officers and employees to attend conferences, conventions, schools, seminars, and workshops conducted outside the State of New York. After the review and recommendation of the County Administrator, the County Fiscal Assistant will review such request to ensure the request is within the limits of the departmental appropriations designated for such purposes.

3. All requests for travel that are in excess of the departmental appropriations for such purposes shall require the approval of the Board of Supervisors. Funds from other contractual (.4) expenditure accounts that are not explicitly for the use of travel may not be used to pay for travel related expenses. A resolution must be adopted authorizing the use of funds from any non-travel related expenditure accounts prior to the submission of a travel request or any claims for payment related to the travel.

4. All actual and necessary expenses incurred for registration fees, travel, meals, and lodging in connection with such attendance shall be a County charge, provided, however, that said charges are supported by original receipts and a printed out map of expected mileage going to be incurred in addition to reasonable and prudent travel to obtain meals or conduct business in the same city; and reimbursements do not exceed the approved amounts in the travel request.

5. All out-of-county and out-of-state travel related reimbursement claims must be documented on the standardized Wayne County Travel Reimbursement form. The employee or official must sign the form attesting to the legitimacy and accuracy of the information presented on the form. The employee's department head must also review and sign the form. If the travel related reimbursement is submitted on behalf of a department head, the County Administrator must sign the form as well. Please see number 12 on page three of this policy for more information. A copy of the Wayne County Travel Reimbursement Form may be found on the County's internal web page. In the instance that only in-county mileage, with the appropriate use of a personal vehicle, is being claimed by an employee or official, the use of this standardized form is not required.

6. Reimbursement of meals will be only for out-of-county travel that requires the employee to be away from home overnight on County business, or when meals are included as part of the conference registration.
7. Travel Advances will not be given unless authorized by the Board of Supervisors.
8. When an employee is accompanied by a spouse, family member, or friend, the employee shall absorb all additional expenses incurred as a result of their presence. Only expenses of the employee will be considered reimbursable by the County.
9. Original detailed receipts are required and must be attached to the County's travel reimbursement form for the actual costs of hotel/motel charges, meals (breakdown of what was ordered), common carriers, parking charges, registration and workshop fees, and road, bridge and ferry tolls. Credit card slips are NOT sufficient documentation for reimbursement purposes. The detailed receipt must be submitted to document each item that was ordered.
10. To the extent necessary and within the guidelines of this and other county policies and procedures, approved registration fees, common carrier travel, and lodging costs supported by evidence of the cost to be incurred may be paid in advance by the county directly to those entities requiring payment OR if an employee has incurred the expense and provided said costs are supported by receipts they may be reimbursed to an employee in advance of the scheduled event. Department Heads and other county employees within the respective departments for whom advance payments were made are responsible for ensuring that any cost or fee incurred in advance of attendance are properly refunded and credited to the County in the event of cancellation of attendance at an approved conference, convention, school, seminar or workshop.
11. All reimbursement requests must be submitted to the County Auditor accompanied by a Travel Request Form with the appropriate authorizations and signatures.
12. All Department Head reimbursements must be reviewed and approved by the County Administrator prior to entry into the accounts payable system. Department Head reimbursements must be entered for payment by the County Administrator's Office to document approval/authorization for payment by this office.

#### **IV. TRANSPORTATION**

1. It is the policy of Wayne County that when available, County vehicles will be used for both in-county and out-of-county travel. It is the responsibility of the department heads to make sure that vehicles assigned to their individual departments are used to the fullest extent. If a department lacks the availability of a County vehicle for out-of-county travel, it shall be the responsibility of the travelling employee to make contact with the Wayne County Central Garage Department to request that a County vehicle be reserved for the employee's use for the duration of the travel time. If the need arises for an employee to use a County vehicle for an in-County function and the department is lacking such vehicle, the employee may contact the Central Garage Department for the availability of a temporary use County vehicle. If there is no County vehicle available, the employee may use a privately-owned vehicle and be reimbursed for such travel as authorized. If a County vehicle is available and the employee chooses not to utilize the County vehicle, the employee may use a privately-owned vehicle; however, will not be reimbursed for such travel expenses.
2. In the event that the distance of travel from the employee's residence to the event/place of business is less than the distance from the Central Garage Department to the event/place of business, the employee may use their personal vehicle and seek mileage reimbursement for this travel from their residence to the address of the event/place of business if the destination is less than 15 miles from their residence. If the employee will be traveling to the office from the event/place of business, the total miles from their residence to their normal worksite must be deducted from the return trip's mileage total.
3. Due to the urgency factor and unpredictability of the nature of CPS related travel the requirement to inquire about County car availability with the Central Garage Department will be waived for Department of Social Services employees that are traveling to in-county CPS related residences/addresses. It is the responsibility of the Commissioner of the Department of Social Services to require that the vehicles assigned to the DSS are used to the fullest extent.
4. If a County employee is unable to operate a County vehicle due to a disability, it shall be the responsibility of the employee to produce for the Human Resources Department a physician's note outlining the specific disability under the Americans with Disabilities Act and the reasonable accommodation(s) necessary for such disability and explanation why a County vehicle would not accommodate such needs. If a County vehicle cannot meet such accommodation(s), then the employee may use a privately-owned vehicle and be reimbursed for such travel as authorized.
5. Employee travel from County facility in Lyons to any other County facility in Lyons using their personal vehicle will be reimbursed at the IRS rate. The request for a County car is not required in these travel situations.
6. The funding source for any in-county and out-of-county travel shall not be a factor in the adherence to this policy.
7. If an employee makes a reservation for a vehicle with the County Highway department and no longer needs the use of such vehicle, it shall be the responsibility of the employee to cancel such reservation. Such cancellation shall be made at least 24 hours prior to the reservation time, or if the reservation of a vehicle is made within 24 hours of the time needed, such cancellation shall be made as soon as possible.
8. There shall be no non-County employees travelling in a County vehicle unless on official County business. Any non-County employees, not on official County business, can only travel in a County vehicle with permission of the Chairman of the Board of Supervisors or the County Administrator. Any employee whether utilizing a County vehicle or privately-owned vehicle while on County business, shall have their driver license information and current proof of insurance information on file with the LENS program at the County Attorney's Office. If such driver license information and proof of insurance is not on file, then the employee shall not operate a privately-

owned vehicle for County business. It shall be the responsibility of the department head to verify that any employee utilizing a county car for travel has both a valid driver's license and up to date proof of insurance on file at the County Attorney's Office.

9. In the event of a vehicle breakdown, it shall be the responsibility of the travelling employee to make notification to the employee's Department Head/Supervisor as soon as possible. The Department Head/Supervisor will communicate with the Superintendent of Public Works or designee for determination of appropriate actions to be taken. Instructions shall be relayed to the employee as soon as possible.

10. County vehicle accident procedures: 1. All accidents and property damage to County vehicles must be reported immediately to 911 (request an ambulance if necessary). 2. Protect the scene of the accident. Do not move the involved vehicle or disturb the scene until told to do so by law enforcement authority. 3. Notify the Department Head/Supervisor as soon as practicable. If the vehicle is disabled the Department Head/Supervisor will communicate with the Superintendent of Public Works or designee for determination of appropriate actions to be taken. Instructions shall be relayed to the employee as soon as possible. 4. Do not make any statements to anyone except the supervisor and the law enforcement authority on the scene.

11. It shall be the responsibility of the Department Head/Supervisor to contact the County Attorney's Office as soon as possible to report any accident involving an employee.

12. County employees are prohibited from operating a County vehicle or personal vehicle on County business when their driving ability has been impaired for any reason, including but not limited to the ingestion of drugs, marijuana, medication, or alcoholic beverages, physical impairment or restrictions; or other situations/conditions within the County employee's control. Any illegal use of controlled substances is strictly prohibited. Additionally, a County Employee shall not operate a County vehicle or a personal vehicle for County business while taking prescription or over-the-counter medications where the County Employee knows or reasonably should have known that such use may impair his or her working abilities or create a risk of harm to himself or herself, others or County property.

13. For travel by privately-owned vehicles, the IRS-approved rate per mile will be reimbursed. Reimbursement shall be the shorter of distances from the worksite or home to the destination and return to the same starting location. Also, reimbursement will be approved for reasonable and prudent travel to obtain meals or conduct business in the same city. For County-owned cars, receipts for gasoline must be submitted.

14. It shall be the responsibility of each department head to have in place a policy/procedure to verify that each request for mileage/travel reimbursement is supported with documentation (i.e. google maps, activity reports and/or other department generated case reports).

15. Any additional costs incurred by the employee, in the course of authorized travel in a County vehicle (breakdown, repairs or refueling), shall be reimbursed to the employee at 100% of the actual costs, with receipts or proper documentation.

16. The Board of Supervisors will be reimbursed for all miles actually and necessarily traveled on official business of the county when using their personal vehicle per County Law Article 5 Section 203 2(b). Per Internal Revenue Service Regulations miles driven between any County owned building and the Supervisors Town Office, or miles driven between another place of employment and a County owned building will be considered business miles. All other starting or ending locations will be considered commuting mileage and reimbursed but, considered part of a Supervisor's gross compensation and must be reported on their W-2.

17. Reimbursement for transportation to and from a common carrier will be reimbursed if it occurs on a regularly scheduled working day or the day before or after the conference/seminar.

18. If the travelling employee will be travelling by air from the Rochester Airport (ROC) the employee may be reimbursed for the mileage both to and from the lesser of the following two distances; the employee's usual worksite/office and the airport, or the employee's home and the airport. Parking in an airport parking lot will only be reimbursed with the proper receipts. If the employee will be travelling by air from any airport other than the Rochester Airport (ROC) the mileage reimbursement for use of a personal vehicle will be at the discretion of the County Administrator.

19. For transportation by air, bus, railroad, taxi, or other conveyance, the actual fare will be reimbursed, except that the County will not pay for first-class air travel. Reimbursement for driving a private automobile may not exceed the commercial airfare.

## **V. LODGING**

1. An overnight trip may be allowed when an employee must travel more than 30 miles from their home or worksite, whichever is shorter, at the discretion of the Department Head and the County Administrator. If the employee is desirous of staying overnight and the distance traveled is not more than 30 miles, this determination will be left to both the employee's Department Head and the County Administrator. Justification for an overnight stay may be provided on the travel request.

2. The County will pay for reasonable and necessary hotel/motel room charges. The Department Head will determine what is reasonable and necessary. At no time will the following be paid for by the County or reimbursed to the employee/official; any in-room movie or entertainment charges, alcoholic beverages, laundry services, parking tickets, speeding fines, or other personal charges.

3. Since the County is exempt from State Tax, it will not pay for State Tax on hotel rooms within New York State. Employees and Department Heads are responsible for supplying hotels with a Form ST-129 (available from the County's Purchasing Agent) when booking a hotel room or at check in.

4. When traveling outside of New York State every attempt should be made to not pay tax on hotel rooms but, it is understood that not every State recognizes the county's tax exempt status.

**VI. MEALS (WHEN OVERNIGHT STAY IS REQUIRED)**

Meal reimbursements will be allowed when overnight travel is required, as long as the travel will prevent them from being at home or work.

1. The following chart shows what meals will be reimbursed depending on time of travel, if you leave or arrive from/at your home or worksite during the times below, you will not be entitled to a reimbursement for that meal:

<u>Breakfast</u>	<u>Lunch</u>	<u>Dinner</u>
6:00 a.m. – 9:00 a.m.	11:00 a.m. – 2:00 p.m.	4:00 p.m. – 8:00 p.m.

2. Meal reimbursement amounts will be at the discretion of the Department Head approving the travel.

3. At no time will daily reimbursement amounts exceed the maximum daily meals rate (breakfast, lunch, dinner, incidentals are not included) set by the Federal Government Services Administration (www.gsa.gov/perdiem) for the continental 48 states. Exceptions to this must be approved in advance of the travel by the Standing Committee.

4. Tips will be reimbursed to the extent that it does not exceed the approved daily reimbursement amount.

5. Sales tax included on meals will be reimbursed to the extent that it does not exceed the approved daily reimbursement amount.

**VII. PROCEDURES OF THE AUDIT OFFICE**

The following procedures will be followed by the Audit Department when examining travel related claims submitted by County employees;

The Audit Department will determine whether the standardized travel reimbursement request form is used to document all travel reimbursement expenses.

The Audit Department will not approve any travel reimbursements without an accompanying approved travel request. The fully approved travel request must be attached to any Wayne County Travel Reimbursement form in the County's financial software for documentation purposes. The Audit Department will review the reimbursement claim to determine whether the claimed amounts exceed the budgeted thresholds on the approved travel request.

The Audit Department will examine all documentation for support for travel related reimbursements prior to approval for payment. Itemized receipts must be available for all meal reimbursements. A credit card slip will not suffice for reimbursement. It is essential that the Audit Office reviews exactly what items were purchased to ensure compliance with the adopted policies.

The Audit Department will review all lodging related invoices and receipts. The County is exempt from NYS sales tax and therefore these charges should not be incurred to the County or the traveling employee/official for lodging or hotel related expenses. As the policy states a ST 129 form must be provided to the lodging facility prior to or upon arrival.

If mileage reimbursement is requested due to the lack of availability of a County car, the email from Central Garage stating there is not a County car available must be included with the Wayne County Travel Reimbursement form. If this email is not included, the Audit Office will contact the Central Garage Department to obtain this information, and a reminder email will be sent to the traveling employee and the Department Head to include this information on all future reimbursement requests.

This list is not exhaustive, the Audit Department will take all steps necessary to determine whether a travel related claim for payment is in compliance with all policies adopted by the Wayne County Board of Supervisors.

In the event that any portion of a travel related reimbursement claim is disallowed by the Audit Department, the County Auditor will contact the Department Head, the travelling employee, and the County Administrator to explain why a portion or the entire travel reimbursement was disallowed, and any steps that may be available to obtain reimbursement approval.

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

**RESOLUTION 505-21: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION)**

Mrs. Leonard presented the following:

WHEREAS, proceedings to review real property tax assessments are annually commenced against assessing units, namely the Towns of Wayne County; and

WHEREAS, County taxes are based upon assessments established by the assessing units; and

WHEREAS, the County tax levy is, therefore, affected by any court ordered or stipulated reduction in assessed valuation; and

WHEREAS, this Board approved Resolution No. 444-95, amended by Resolution No. 700-06, which was amended by Resolution No. 688-07 which was again amended by Resolution No. 307-10 and subsequently amended by Resolution 591-15 and again amended by 524-17 which defined standards and procedures for County participation in litigation involving challenges to real property assessments; and

WHEREAS, a request from the Town of Macedon has been received by the Real Property Tax Services Director and reviewed and recommended by the Director and the County Attorney; and

WHEREAS, the written request from the Town of Macedon does include statement of fact that the Town of Macedon and the Pal-Mac Central School District have resolved for their respective Board approval to share in the defense costs for Real Property Tax Assessment review Article 7 proceedings, now, therefore, be it

RESOLVED, that the County of Wayne will participate in providing financial assistance for litigation challenges of real property tax assessments per the provisions of Resolution No. 524-17 for the following Town and their respective petition:

<u>TOWN</u>	<u>Property Owner</u>	<u>Parcel ID#</u>	<u>Index#(s)</u>
Macedon	Jindal Films Americas LLC	61111-00-691932	CV087512-2021
Macedon	Wal-Mart Inc. #3842	61111-00-320806	CV087494-2021
Macedon	Speedway LLC	62111-08-953917 62111-08-953916	CV087521-2021
Macedon	CVS	62111-06-358764	CV087557-2021
Macedon	Meadowview Realty LLC	62112-00-889736	CV087565-2021

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

**RESOLUTION 506-21: ESTABLISHING A DATE FOR PUBLIC HEARING ON THE 2022 WAYNE COUNTY TENTATIVE BUDGET**

Mrs. Leonard presented the following:

WHEREAS, the Tentative Budget for the County of Wayne for the fiscal year beginning January 1, 2022, will be presented to the Board of Supervisors by November 15, 2021; now therefore be it

RESOLVED, pursuant to Section 359 of the County Law of the State of New York as follows:

SECTION 1. A public hearing on the tentative budget shall be held in the Supervisors' Chambers at the County Court House, 26 Church Street, Lyons, New York, on Tuesday, December 7, 2021 at 7:10 pm. Copies of the tentative budget on which the public hearing will be held, will be available in the Clerk of the Board of Supervisors' office after November 15, 2021 and may be inspected or procured therein by any interested person during business hours.

SECTION 2. At least five (5) days' notice of such hearing shall be given by the Clerk of the Board of Supervisors by posting such notice on the bulletin board in the County Court House and by publication of such notice in the official newspapers of the County.

SECTION 3. The notice of public hearing shall include a statement of maximum salary that may be fixed and payable during said fiscal year to the members of the Board of Supervisors and the Chairman, respectively.

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

**RESOLUTION 507-21: AUTHORIZATION TO AMEND THE 2021 COUNTY ADMINISTRATORS BUDGET FOR NATIONAL ASSOCIATION OF COUNTIES DUES**

Mrs. Leonard presented the following:

WHEREAS, the National Association of Counties (NACo) advocates for county priorities in federal policymaking, promotes exemplary county policies and practices, and enriches the public's understanding of county government; and

WHEREAS, that NACo is funded with dues collected from counties across the nation; and

WHEREAS, the Wayne County Administrator is desirous in having Wayne County become a member of NACo; and

WHEREAS, the NACo membership dues of \$1,875 for the period 9/1/2021 – 12/31/2022 were not included in the 2021 Wayne County; now, therefore be it

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

**A1990 Contingency Fund General**

(Appropriations)

\$1,875 from 54000 Contractual Expenses

**A1230 County Administrator**

(Appropriations)

\$1,875 to 54418 Dues

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

**RESOLUTION 508-21: AUTHORIZATION TO AMEND CONTRACT WITH THREE+ONE ADVISORS FOR LIQUIDITY MONITORING AND TREASURY ANALYSIS SERVICES**

Mrs. Leonard presented the following:

WHEREAS, Wayne County has contracted with Three+One, via resolution 243-20, for liquidity monitoring, treasury analysis services, interest rate negotiations, and general banking advisory services; and

WHEREAS, these services are contracted through December 31, 2022 for an amount not to exceed \$30,000 per calendar year; and

October 19, 2021



WHEREAS, Three+One is requesting a 2% fee increase due to the rising costs and fees of providing services, to start in 2022, increasing the contracted amount to \$30,600 for the year; and

WHEREAS, the County has worked with Three+One for six years and has seen a significant increase in the interest earnings on our funds based on the data they provide the County; and

WHEREAS, during the previous six years the annual fee has remained flat at \$30,000 per year; now therefore be it

RESOLVED, that the Board of Supervisors approves the amended agreement, subject to the County Attorney's approval as to form and content, with Three+One Advisors for the period of January 1, 2022 through December 31, 2022; for an amount not to exceed \$30,600.

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

**RESOLUTION 509-21: ACCEPTING TREASURER'S ACCOUNTING OF THE ANNUAL PROPERTY TAX FORECLOSURE AUCTION AND AUTHORIZING TRANSFER OF NET PROCEEDS TO THE WAYNE COUNTY REGIONAL LAND BANK CORPORATION**

Mrs. Leonard presented the following:

WHEREAS, Resolution No. 343-18 established the policy of transferring the net proceeds of the annual tax foreclosure auction to the Wayne County Regional Land Bank Corporation after the County Treasurer provides an accounting to the Wayne County Board of Supervisors; and

WHEREAS, the 2021 Wayne County Tax Foreclosure Auction was held on August 11<sup>th</sup> 2021; and

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

WHEREAS, the County Treasurer presents the following accounting to the Wayne County Board of Supervisors:

<u>Town</u>	<u>Total Expenses</u>	<u>Sold Amount</u>	<u>Profit/Loss</u>
Arcadia	\$ (107,644.41)	\$ 327,401.00	\$ 219,756.59
Butler	\$ (5,255.41)	\$ 14,100.00	\$ 8,844.59
Galen	\$ (36,111.30)	\$ 43,338.00	\$ 7,226.70
Huron	\$ (25,609.16)	\$ 51,001.00	\$ 25,391.84
Lyons	\$ (98,742.21)	\$ 149,556.00	\$ 50,813.79
Macedon	\$ (296,184.39)	\$ 200,000.00	\$ (96,184.39)
Marion	\$ (24,856.45)	\$ 160,000.00	\$ 135,143.55
Ontario	\$ (69,063.11)	\$ 310,000.00	\$ 240,936.89
Palmyra	\$ (65,812.90)	\$ 31,100.00	\$ (34,712.90)
Rose	\$ (39,840.05)	\$ 62,753.00	\$ 22,912.95
Savannah	\$ (4,123.34)	\$ 14,500.00	\$ 10,376.66
Sodus	\$ (98,671.73)	\$ 359,126.00	\$ 260,454.27
Walworth	\$ (43,323.22)	\$ 154,130.00	\$ 110,806.78
Williamson	\$ (25,672.28)	\$ 25,001.00	\$ (671.28)
Wolcott	\$ (15,147.43)	\$ 29,050.00	\$ 13,902.57
<b>Total</b>	<b>\$ 956,057.39</b>	<b>\$ 1,931,056.00</b>	<b>\$ 974,998.61</b>

WHEREAS, the 2021 Wayne County Tax Foreclosure Auction had net proceeds of \$974,998.61; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors accepts this accounting; and be it further

RESOLVED, pursuant to Resolution No. 343-18, the Wayne County Board of Supervisors hereby authorizes the County Treasurer to issue payment to the Wayne County Regional Land Bank in the amount of \$974,998.61, subject to the review and approval of the County Auditor.

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

**RESOLUTION 510-21: AUTHORIZATION TO TRANSFER TITLE FROM THE COUNTY OF WAYNE TO THE PREVIOUS OWNER**

Mrs. Leonard presented the following:

WHEREAS, the County of Wayne took title to approximately ninety (90) parcels on June 15, 2021 through the County's tax foreclosure process; and

WHEREAS, the former owner of one (1) parcel has filed litigation against the County in order stop the sale of this tax foreclosed parcel:

David and Ellyn Diella – Tax ID# 74115-00-298016; and

WHEREAS, it is in the County's best interest to settle the dispute as to this parcel without participating in litigation due to unique issues identified with respect to the parcel; now therefore be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to sign any necessary paperwork to transfer said parcel back to the previous owner, on condition that the owner of the October 19, 2021

parcel pay in full the amounts of all property taxes which were written off by the County in anticipation of the tax foreclosure, together with the costs of all recording and filing fees necessary to re-convey title to the previous owner, subject to the approval of the County Attorney as to form and content.

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

**RESOLUTION 511-21: AUTHORIZING THE CHAIRMAN TO SIGN A NONDISCLOSURE AGREEMENT ON BEHALF OF THE COUNTY WITH CHARTER COMMUNICATIONS**

Mr. Groat presented the following:

WHEREAS, Wayne County continues to work on bringing a broadband service to every address in in the County; and

WHEREAS, in order to do so, the County continues to collect information on coverage form as many resources as possible, and

WHEREAS, Charter Communications has presented the County with an confidentiality agreement in order to provide information on unserved addresses in the County, subject to change; and

WHEREAS, Charter considers this information proprietary and confidential and has filed it as a trade secret confidential document with the Records Access Officer of the Broadband Program Office/Department of Public Service (BPO/DPS); and

WHEREAS, Charter has agreed to share this information with the County contingent on execution of a confidentiality agreement; therefore be it

RESOLVED that the Chairman of the Board is authorized to sign the confidentiality agreement with Charter Communications, subject to the County Attorneys approval, in order to better understand broadband coverage gaps in the County while protecting proprietary and confidential information.

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

**RESOLUTION 512-21: AUTHORIZATION TO TERMINATE LEASE AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF LABOR**

Mr. Chatfield presented the following:

WHEREAS, The New York State Department of Labor (NYSDOL) has occupied office space on the 2<sup>nd</sup> floor of the Health Services Building since 2007; and

WHEREAS, the original lease agreement ended on September 30<sup>th</sup> 2012; and

WHEREAS, NYSDOL did extend the lease agreement for an additional 5 years per the terms of the agreement until September 30<sup>th</sup> 2017; and

WHEREAS, on September 22<sup>nd</sup> 2017 the NYSDOL notified the County that they wished to enact a holdover on the original lease on a month to month basis until a new lease is signed; and

WHEREAS, The County has provided renewal paperwork to the NYSDOL three times over the past three years and so far the NYSDOL has yet to execute a new lease agreement with the County; and

WHEREAS, the County is in need of some additional office space for the Workforce Development Office that is currently sharing this space with the NYSDOL; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to give notice of termination of the lease agreement with the New York State Department of Labor; and be it further

RESOLVED, that the New York State Department of Labor shall vacate the building by November 30<sup>th</sup> 2021.

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

**RESOLUTION 513-21: AUTHORIZATION TO AWARD BID FOR TOWER CONSTRUCTION AT THE ONTARIO COMMUNICATIONS TOWER SITE**

Mr. Eygnor presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bid(s) for the Ontario Tower Project to be opened at the County Courthouse at 26 Church Street in Lyons, NY on Wednesday, October 13, 2021 at 2:00 p.m., and

WHEREAS, the following bids were received:

Fred A. Nudd Corporation 1743 Route 104 Ontario, NY 14519	\$214,095
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Patriot Towers 870 Scottsville-Chili Rd. Scottsville, NY 14546	\$349,289
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And,

WHEREAS, the 911 Project Manager, the County Attorney's Office, the Clerk of the Board, and the Self Insurance Specialist have reviewed the bids received, and have found that the Fred Nudd Corporation bid is the lowest, complete bid, and

WHEREAS, the Nudd bid includes the following three proposed subcontractors, whose work and costs are included in the contractor's bid price:

Robinson Concrete, Franklin St., Auburn, NY Concrete  
Jemstar Construction, N. Main St., Marion, NY Antenna and line installation  
Kranes Inc., S. Geneva Rd., Sodus NY Crane service

Now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract in the amount of \$214,095, with the Fred A. Nudd Corporation, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, and be it further

RESOLVED, that the Fred Nudd Corporation is hereby authorized to utilize the three aforementioned subcontractors to assist with the specific tasks of the project work mentioned above.

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

The next scheduled meeting of the Board is **Tuesday, November 16, 2021 at 9:00 a.m.**

**ADJOURNMENT:**

Mrs. Jacobs moved, seconded by Mrs. Leonard, that the board adjourn at 9:51 a.m. Carried.

Respectfully submitted,  
Kelley P. Loveless

Clerk, Wayne County Board of Supervisors

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