

**WAYNE COUNTY BOARD OF SUPERVISORS
2018 ANNUAL SESSION**

1st Day
Tuesday, January 2, 2018

Pursuant to Section 151 of the County Law the Board of Supervisors convened in their chambers in the Court House, Town of Lyons, New York, on the 2nd day of January 2018 at 9:00 a.m. and was called to order by Sandra J. Sloane, Clerk of the previous Board.

Supervisor Ken Miller of Palmyra introduced Dr. Timothy Young, Pastor of the Heritage Baptist Church in Palmyra, to give the invocation for this first meeting of the Board of Supervisors for 2018.

The Clerk requested Supervisor Spickerman to lead the Board in the Pledge of Allegiance.

ROLL CALL:

ARCADIA	Jon C. Verkey
BUTLER	David Spickerman, Sr.
GALEN	Steven Groat
HURON	Laurie Crane
LYONS	Brian Manktelow
MACEDON	Cassandra Pagano
MARION	Nicholas Deming
ONTARIO	Joseph Molino
PALMYRA	Kenneth Miller
ROSE	Kenan Baldrige
SAVANNAH	Michael Kolczynski
SODUS	Steven LeRoy
WALWORTH	Susie Jacobs
WILLIAMSON	Anthony Verno
WOLCOTT	Lynn Chatfield

ELECTION OF PERMANENT CHAIRMAN:

Mr. Verkey placed in nomination, the name of Steven LeRoy, Town of Sodus, for Permanent Chairman. Seconded by Mr. Manktelow.

Mrs. Jacobs placed in nomination, the name of Kenan Baldrige, Town of Rose, for Permanent Chairman. Seconded by Mr. Molino.

Mr. Kolczynski moved, seconded by Mr. Miller that the nominations be closed and a vote by name be taken:

Steven LeRoy - 911
Kenan Baldrige - 278

The Clerk declared Steven LeRoy duly elected as Permanent Chairman for 2018; and appointed Supervisors Miller and Baldrige to escort the Chairman to the Chair.

Chairman LeRoy thanked his colleges for their support and is honored for the opportunity to serve as Chairman of the Wayne County Board of Supervisors for another year.

APPOINTMENT OF VICE-CHAIRPERSON

Chairman LeRoy announced that Brian Manktelow had been chosen to serve another term as Vice-Chairperson for 2018.

ELECTION OF CLERK OF THE BOARD:

Mrs. Crane placed in nomination the name of Sandra J. Sloane as Clerk of the Board. Seconded by Mr. Kolczynski.

Mrs. Crane moved that the nominations be closed and the Clerk casted one ballot for Sandra J. Sloane. Seconded by Mr. Kolczynski. Upon roll call, carried.
The Chairman declared Sandra J. Sloane duly elected Clerk of the Board.

ELECTION OF DEPUTY CLERK OF THE BOARD:

Mr. Groat placed in nomination the name of Debbie Ann Liseno as Deputy Clerk of the Board. Seconded by Mr. Kolczynski.
Mrs. Crane moved that the nominations be closed and the Clerk casted one ballot for Debbie Ann Liseno. Seconded by Mr. Kolczynski. Upon roll call, carried.
The Chairman declared Debbie Ann Liseno duly elected Deputy Clerk of the Board.

ELECTION OF BUDGET OFFICER:

Mrs. Pagano placed in nomination the name of Richard House as Budget Officer. Seconded by Mrs. Crane.
Mrs. Crane moved, seconded by Mrs. Pagano, that nominations be closed. Carried. The Chairman declared Richard House duly elected Budget Officer.

ELECTION OF DEPUTY BUDGET OFFICER:

Mr. Miller placed in nomination the name of Kenneth Blake as Deputy Budget Officer. Seconded by Mr. Kolczynski.
Mrs. Crane moved, seconded by Mrs. Pagano, that nominations be closed. Carried. The Chairman declared Kenneth Blake duly elected Deputy Budget Officer.

ELECTION OF DEPUTY PURCHASING CLERK:

Mrs. Crane placed in nomination the name of Sandra J. Sloane as Deputy Purchasing Clerk. Seconded by Mr. Kolczynski.
Mrs. Pagano moved, seconded by Mr. Miller, that the nominations be closed. Carried. The Chairman declared Sandra J. Sloane, duly elected Deputy Purchasing Clerk.

MAJORITY LEADER:

Mr. Manktelow announced that the Republicans had chosen Mr. Ken Miller, Supervisor from the Town of Palmyra, to serve as Majority Leader.

MINORITY LEADER:

Mr. Baldrige announced that he himself, Mr. Kenan Baldrige, Supervisors from the Town of Rose, is hereby designated to serve as Minority Leader.

2018 STANDING COMMITTEES:

Chairman Leroy requested for the Clerk and Deputy Clerk to distribute the 2018 Standing Committee assignments to Board Members, as follows:

No. 1 - FINANCE COMMITTEE

BRIAN MANKTELOW
SANDY PAGANO
KEN MILLER
LAURIE CRANE
NICK DEMING

- A. COUNTY TREASURER
- TAX ADVERTISING
 - CONTINGENCY FUND PROJECTS
 - COMMUNITY COLLEGE
 - LIABILITY & CASUALTY RESERVE FUND

- UNCOLLECTED INSURANCE
 - JUDGMENT & CLAIMS
 - EXPENSES ON ACQUIRED PROPERTY
 - HOSPITAL & MEDICAL INSURANCE
 - SERIAL BOND
 - LIBRARY
- B. INFORMATION TECHNOLOGY
 C. REAL PROPERTY TAX
 D. COUNTY AUDITOR

No. 2 - PUBLIC SAFETY COMMITTEE

CHUCK VERKEY
LAURIE CRANE
ANTHONY VERNO
NICK DEMING
MIKE KOLCZYNSKI

- A. SHERIFF
- STOP DWI
- B. PROBATION
- C. DISTRICT ATTORNEY
- ANIMAL ABUSE INVESTIGATIONS
 - GRAND JURY
 - CRIME VICTIMS' BOARD
- D. PUBLIC DEFENDER
- E. LEGAL DEFENSE OF INDIGENTS
- F. EMERGENCY MGMT SERVICES
- E-911
 - ALS
 - EMERG. MED. SERV
 - MUTUAL AID
- G. CORONER
- H. PRE-TRIAL SERVICES
- I. JUSTICE COURT

No.3- PUBLIC WORKS COMMITTEE

KEN MILLER
MIKE KOLCZYNSKI
DAVE SPICKERMAN
KENAN BALDRIDGE
ANTHONY VERNO

- A. HIGHWAY
- MACHINERY
 - CENTRAL GARAGE
- B. BUILDINGS & GROUNDS
- C. CONSUMER AFFAIRS
- D. SOIL AND WATER CONSERVATION DISTRICT

No. 4 - ECONOMIC DEV AND PLANNING COMMITTEE

DAVE SPICKERMAN

SANDY PAGANO
STEVE GROAT
KEN MILLER
JOE MOLINO

- A. ECONOMIC DEVELOPMENT & PLANNING
 - INDUSTRIAL DEVELOPMENT SITE
 - JOINT MUNICIPAL PROJECTS
 - AGRICULTURAL DISTRICTS
- B. TOURISM
 - PUBLICITY
- C. BUS OPERATIONS
- D. COOPERATIVE EXTENSION
- E. PALMYRA UNION AG. SOCIETY
- F. FISH AND GAME

No. 5 – GOVERNMENT OPERATIONS COMMITTEE

Laurie Crane
Lynn Chatfield
David Spickerman
Chuck Verkey
Brian Manktelow

- A. LEGISLATIVE BOARD
 - RULES OF ORDER
 - INTER-MUNICIPAL
 - REAPPOINTMENTS
 - COUNTY ADMIN.
- B. CLERK OF THE BOARD
 - COURT HOUSE COPIER
 - UNDISTRIBUTED POSTAGE
 - COUNTY OFFICER DUES
- C. COUNTY CLERK
 - HISTORIAN
- D. COUNTY ATTORNEY
- E. BOARD OF ELECTIONS
- F. HUMAN RESOURCES
 - CIVIL SERVICE
 - SALARIES AND BENEFITS
 - WORKERS' COMPENSATION
 - EMPLOYEE RELATIONS
 - UNION NEGOTIATIONS
 - STAFF DEVELOPMENT
 - EDUCATION AND TRAINING
 - EMPLOYEE SAFETY
 - HANDICAP ACCESS
 - AFFIRMATIVE ACTION
 - NEW POSITION RECLASSIFICATION
 - CAFETERIA PLAN
 - PRINT SHOP
- G. COMPLIANCE

No. 6 - HEALTH & MEDICAL SER. COMMITTEE

**KENAN BALDRIDGE
STEVE GROAT
LAURIE CRANE
LYNN CHATFIELD
SUSIE JACOBS**

- A. NURSING HOME
- B. PUBLIC HEALTH
- C. MENTAL HEALTH

No. 7 - HUMAN SERVICES COMMITTEE

**ANTHONY VERNO
BRIAN MANKTELOW
KENAN BALDRIDGE
JOE MOLINO
SUSIE JACOBS**

- A. SOCIAL SERVICES
- B. AGING AND YOUTH
- C. WORKFORCE DEVELOPMENT
- D. VETERANS' SERVICES
- E. WAYNE COUNTY ACTION PROGRAM

The required paperwork was submitted by Majority Leader Ken Miller and on file with the Clerk of the Board for the 2018 Newspaper Designations for the Republican Party:

NEWSPAPER DESIGNATION - REPUBLICAN

We, the undersigned Republican members of the Board of Supervisors of the County of Wayne, do hereby designate The Times of Wayne County, a weekly newspaper published in Macedon, New York, to publish the concurrent resolutions of the Legislature for the year 2018.

We also designate The Times of Wayne County, a weekly newspaper published in Macedon, New York, to publish the official canvass.

We also designate The Times of Wayne County, a weekly newspaper published in Macedon, New York, to publish the election notices issued by the Secretary of State.

Charles Verkey
David Spickerman, Sr.
Steven Groat
Laurie Crane
Brian Manktelow
Cassandra Pagano

Nicholas Deming
Kenneth Miller
Michael Kolczynski
Steven LeRoy
Anthony Verno
Lynn Chatfield

Dated: January 2, 2018

The required paperwork was submitted by Minority Leader Kenan Baldrige and on file with the Clerk of the Board for the 2018 Newspaper Designations for the Democratic Party:

NEWSPAPER DESIGNATION - DEMOCRATIC

We, the undersigned Democratic member of the Board of Supervisors of the County of Wayne hereby designate the Sun and Record, a weekly newspaper published in Williamson,

New York, to publish the concurrent resolutions of the Legislature for the year 2018.

We also designate the Sun and Record, a weekly newspaper published in Williamson, New York, to publish the official canvass.

We also designate Sun and Record, a weekly newspaper published in Williamson, New York, to publish the election notices issued by the Secretary of State.

Joseph Molino, Town of Ontario
Kenan Baldrige, Town of Rose
Susie Jacobs, Town of Walworth

Dated: January 2, 2018

SWEARING-IN CEREMONY

Prior to the scheduled Swearing-in Ceremony for Wayne County Sheriff Barry Virts and Wayne County Clerk Michael Jankowski, Chairman LeRoy took this opportunity to welcome everyone here today, including Assemblyman Bob Oaks, Congressman John Katko, Jolene Bender, Senator Pam Helming's Representative, Jolene Bender, Judge Dan Barrett, Wayne County District Attorney Mike Calarco and Daniel Olson.

The Chairman requested for all to rise as Wayne County Court Judge John B. Nesbitt approached the podium.

Judge John B. Nesbitt administered the Oath of Office to Wayne County Clerk Michael Jankowski and Wayne County Sheriff Barry Virts at 9:15 a.m.; followed by their humbled and honored words of appreciation.

RECESS

Chairman LeRoy requested a 10 minute recess at 9:22 a.m. Carried

REGULAR SESSION

The Board resumed regular session at 9:35 a.m.

OTHER BUSINESS:

Chairman LeRoy requested for a two-thirds vote to put fifteen (15) resolutions for Other Business on the floor for this morning session.

Mrs. Crane moved, seconded by Mrs. Pagano that said resolutions be allowed on the floor. Upon roll call, all Supervisors voted Aye. Motion carried.

RESOLUTION NO. 001-18: ADOPTING RULES OF ORDER FOR THE YEAR 2018

Mrs. Crane presented the following:

RESOLVED, that the following Rules of Order of the Wayne County Board of Supervisors as presented are hereby adopted as the Rules of Order for the Year 2018:

WAYNE COUNTY BOARD OF SUPERVISORS RULES OF ORDER – 2018

RULE 1. Organizational Meeting

The organizational meeting of the Board shall be held on or before January 8th in each year. Written notice of the time and date of this meeting shall be mailed to all Supervisors by the Clerk of the Board at least 48 hours in advance of the meeting. The Clerk shall call the meeting to order and the first order of business shall be to conduct the election of a permanent Chairperson for the ensuing year.

The Chairperson of the Board shall appoint from among the members of the Board a Vice Chairperson to serve at his or her pleasure who, in the absence or inability to act of the

Chairperson, shall possess all powers and perform all the duties of the Chairperson of the Board. A vacancy in the Office of Chairperson of the Board shall be filled in accordance with County Law Section 151.

The Board, under the Chairperson, shall then proceed with:

- a) The adoption of a time and date for regularly scheduled meetings.
- b) The election or appointment of the Clerk, Deputy Clerk, Budget Officer of the Board, County Attorney, and any other elective or appointive officers required by law or desired by the Board.
- c) The adoption of the Rules of Order for the ensuing year.
- d) Other matters that the Chairperson wishes to bring before this meeting.

RULE 2. Regular Meetings:

Regular meetings of the Board shall be held on the third Tuesday of each month beginning at 9:00 a.m. For the public hearing and possible vote on the County budget, this meeting shall be held on the first Tuesday in December at 7:00 p.m., unless amended by a majority of the Board of Supervisors. The August meeting shall be held the second Monday of August at 11:00 a.m.

RULE 3. Special Meetings:

Special meetings shall be held at the call of the Clerk upon direction of the Chairperson or upon written request signed by a majority vote of the Board and eight concurring supervisors. A notice in writing stating the time, place and purpose of the special meeting shall be served personally or by mail or by email upon each member of the Board by the Clerk at least 48 hours before the date and time fixed for holding the meeting; however, in lieu of this the Chairperson at a regular meeting may announce the time, place and purpose of an adjourned meeting and if the majority of the Board approves it, the adjourned meeting shall be held at the appointed time and place without written notification; and further in the event the Chairperson, or in his/her absence or unavailability the Vice Chairperson, determines that there exists an emergency situation posing imminent danger of loss of life or property, or if such emergency situation is determined to exist by written declaration signed or approved by a majority vote of the Board and eight concurring Supervisors, then the Chairperson shall cause a Special Meeting to be held upon such public notice as shall be reasonable under the circumstances.

RULE 4. Place of Meetings:

All meetings, with the exception of the August meeting, shall be held in the Supervisors' Chambers, Wayne County Court House, 26 Church Street, Lyons, New York, unless otherwise provided for by call. The August meeting shall be held at the Wayne County Fairgrounds, Palmyra, NY.

RULE 5. Quorum:

Members present possessing more than 50% of the total weighted vote shall constitute a quorum for the transaction of business. If a quorum is not present within 45 minutes after the time set for the start of the meeting, the members present shall adjourn.

RULE 6. Presence of County Attorney:

The County Attorney shall be present during all meetings unless excused by the Chairperson.

RULE 7. Temporary Chairperson:

The Vice Chairperson will serve as acting Chairperson in the absence of the Chairperson at any meeting of the Board of Supervisors. The acting Chairperson shall have and exercise all the powers and duties of the Chairperson at the meeting over which they are called to preside.

RULE 8. Order of Business:

The normal order of business at each session shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Invocation

4. Roll Call
5. Approval of Minutes
6. Communications
7. Unfinished Business
8. Privilege of the Floor
9. Reports of Standing Committees
10. Reports of Special Committees
11. Resolutions
12. Adjournment

RULE 9. Roll Call:

On roll call, the Clerk shall record by name all members present or absent; shall further record the arrival of any member listed as absent; and the departure of any member listed as present during the course of each meeting.

Any member desiring permanent departure from the meeting prior to the adjournment shall request permission to be excused from the Chairperson.

RULE 10. Approval of Minutes of Previous Meeting:

Minutes of previous meeting shall be read unless waived by the Board by a motion duly made, seconded and adopted.

RULE 11. Communications:

The Clerk shall read petitions, notices, departmental reports and other communications and the Chair shall take the appropriate action; however, the Chairperson may permit, or, at his/her pleasure, request a person other than the Clerk to read a communication.

RULE 12. Resolutions and Motions:

Any member may offer a resolution or motion which shall be acted on promptly subject to these rules.

The term resolution as herein used shall mean a formal proposed action in writing. Every appropriation requiring expenditure of funds shall be by resolution. Every resolution shall contain a short title setting forth the purpose of the proposed action. All resolutions shall be filed with the Clerk no later than four days prior to the date of the meeting at which the resolutions are to be presented. All Department Heads will file resolutions and committee agendas with the County Administrator at least one week prior to their standing committee date.

The County Administrator shall refer each resolution originated by a Department Head or Agency to the Standing Committee having jurisdiction over any of the subject matter of the resolution. Referrals will be made by the Standing Committee to all Board committees which have an interest in the issue. The Standing Committee shall promptly act on each resolution referred by the County Administrator and shall submit its report or recommendation on the resolution at the next regular meeting of the Board of Supervisors following such referral. Any changes to the intent, meaning or financial features of a proposed resolution will be referred to the Chairperson of the Standing Committee by the committee meeting secretary prior to inclusion of the matter in the Board of Supervisors agenda.

In the event a Standing Committee does not submit its report or recommendation at the next regular meeting of the Board of Supervisors, the Board may act on the resolution without further committee consideration and without committee report or recommendation.

Upon the request of any member, any amendment to a resolution shall be reduced to writing.

Resolutions or referrals which are not acted upon before the end of the calendar year do not continue into the next calendar year.

RULE 13. Rules of Debate:

When a question is under debate, the procedure and rules of debate shall be governed by Robert's Rules of Order relative to precedence of motions as follows:

- A Fix the Time at Which to Adjourn:**
(requires second, not debatable, may be amended and requires a majority).
- B Adjourn:**
(requires second, not debatable, may not be amended and requires a majority).
- C Recess:**
(requires second, not debatable, may be amended and requires a majority).
- D Suspend Rules:**
(requires second, not debatable, may not be amended and requires a 2/3 vote without previous notice)
- E Lay on the Table:**
After a motion is stated and it is in the possession of the Board it may be laid on the table until requested to come back before the Board (may be amended and requires a majority).
- F Previous Question:**
(requires second, not debatable, may not be amended and requires a 2/3 vote).
- G Limit or Extend Limits of Debate:**
(requires second, not debatable, may be amended, and requires a 2/3 vote).
- H Postpone:**
The object is to set a time when a matter must be considered (requires second, debatable, may be amended and requires a majority).
- I Refer:**
(requires second, debatable, may be amended and requires a majority).
- J Hold a Motion:**
After a motion is stated and it is in possession of the Board, before discussion or amendment, it may be held until the next meeting day if requested by any member of the Board provided such request is made on his/her first recognition by the Chairperson, but only one such request shall be granted on only one motion with 2/3 vote.
- K Amend:**
(requires second, debatable, may be amended and requires a majority).
- L Postpone Indefinitely:**
The object is to kill a local law, resolution, or motion (requires second, debatable, may not be amended and requires a majority).
- M Withdraw:**
The maker of a local law, motion, or resolution has the right to request a "Withdraw" at any time. If there is an objection to the request to withdraw, a vote of the Board shall be taken and requires a majority vote to pass.
- N Take From Table:**
Must be "Taken from Table" after tabling motion was made (requires second, not debatable, may not be amended and requires a majority).
- O Reconsider:**

To bring up a question for discussion and obtain a new vote. Only one who voted with prevailing side can make this motion, but anybody can second; can only be made on same day (requires second, debatable, may not be amended and requires a 2/3 vote).

P Rescind:

To annul some action, no matter how old, except where action has been taken that cannot be undone. Rescind a motion any time can be moved by anyone; requires a second, except "to give notice." If "Notice" of the motion to be proposed was given at a previous meeting or pre-filed for this meeting, a majority vote will carry. No "Notice" given requires two-thirds vote to carry (requires second, debatable, may be amended and requires a 2/3 vote without previous notice).

Q Renew:

Used to reintroduce a local law, resolution, or motion again at a future session. Can be made and seconded by any Legislator (requires second, debatable, may be amended and requires a 2/3 vote without previous notice).

RULE 14. Resolutions, Filing Deadline:

No resolution shall be offered unless it first has been reviewed by the County Administrator and filed with the Clerk of the Board by noon of the fourth working day prior to and not including the day of the meeting at which it is offered. Any resolution which has been filed in accordance with this rule may be offered by any member of the Board at the next scheduled Board meeting. This rule shall not apply to special meetings of the Board under Rule 3, nor to the Organizational Meeting of the subsequent year, under Rule 1. Any resolution filed with the Clerk of the Board pursuant to this section shall be listed on the agenda under the following title: Rule 14. Resolutions.

RULE 15. All Committees:

Standing or special committees, shall as promptly as possible report to the Board upon such resolutions, communications or other matters as may be referred to them.

RULE 16. Unfinished Business:

All reports, resolutions and other matters laid on the table may be called there from under "Unfinished Business" in the regular order of business. All questions laid over by rule, or by request of any member for one day shall be considered in order on the succeeding day, or at the next session, under the heading of "Unfinished Business".

A list of unfinished business and special orders to be acted upon by the Board shall be kept by the Clerk and listed in the agenda.

A motion to lay a question on the table shall be decided without amendment or debate and a motion to postpone the question indefinitely or to adjourn to a day certain until it is decided, shall preclude all amendments to the main question. All reports, resolutions and other matters laid on the table may be called there by any Board member with approval or a majority vote of the Board.

A motion or a motion for adopting a resolution may be placed on the table by a majority vote and a majority vote will be necessary to take it off the table.

RULE 17. Agenda:

The Clerk shall prepare a statement of the order of business for each meeting of the Board which shall also contain the title and author of each resolution to be presented together with the number to be assigned thereto. The order of business shall be mailed to each Supervisor no later than five (5) calendar days prior to the date of the meeting. Any resolution not set forth in the order of business shall be tabled by the Chairperson until the next meeting of the Board,

unless upon motion regularly made, the members present by two-thirds vote authorize the consideration of such resolution. These resolutions shall be referred to as Other Business (OB).

RULE 18. Amendments:

These rules of order shall be amended only by a two thirds vote of the Board and only after a ten days' notice, which notice shall be in writing and be filed with the Clerk and shall specify the particulars of such proposed amendments. Notice shall be given to members of the Board by the Clerk as directed by Committee No. 5.

RULE 19. Suspension of Rules:

Any rule may be suspended by the 2/3 vote of the members present, but the suspension of such rule shall apply only to those matters which shall be before the Board at the time of such suspension.

RULE 20. Addressing the Board:

Before speaking, a member shall request recognition by the Board Chair. Upon being recognized, the member shall rise and address the Chair. While a member is speaking, no member shall entertain any private discourse, or pass between him and the Chair. When the Board Chair is putting a question, no member shall walk about or out of the room.

No member shall speak on any question without first raising his or her hand, and upon being recognized by the Board Chair may proceed. When two or more members raise their hands at the same time the Chair shall name the member who shall speak first.

RULE 21. Call to Order:

A member called to order shall immediately sit down unless permitted to explain. If an appeal be taken from the decision of the chair, the Board shall decide the case without debate and the question shall be stated by the chair to be "Shall the decision of the chair stand as the judgment of the Board?"

RULE 22. Voting Requirement:

Every member present when a motion is stated from the chair shall vote thereon, unless excused by the Chairperson, or unless the Supervisor is directly interested in the motion, in which case, if the Supervisor chooses, the Supervisor may be excused from voting. Every member requested to be excused from voting may make a brief and verbal statement of the reason for their request. The Chairperson in all cases has the right to vote and when the vote is equally divided, including the Chairperson's vote, the question shall be lost.

RULE 23. Required Ayes and Nays: (LONG ROLL)

Taking into consideration Rule 32, hereafter, at the Chairperson's discretion with the Boards' consent, the ayes and nays shall be taken by vote on any resolution appropriating money, levying taxes, confirming reports of committees and making appointments and fixing salaries and upon any other motion or resolution when demanded by any member of the Board.

RULE 24. The Order of Rules:

When a question is under debate, no motion shall be entertained unless for adjournment of the Board, for the previous question, to place on table indefinitely, to place on table for a certain day, to hold, to amend it, or refer back to committee. These several motions shall have precedence in the order in which they are here stated and shall not be subject to debate.

RULE 25. Several Propositions:

If the question in debate contains several distinct propositions, the same may be divided by the Chairperson at the request of any member to the end that a vote may be taken on each proposition.

RULE 26. Privilege of the Floor:

Privilege of the floor for members of the public other than members of the Board of Supervisors shall extend to any person appearing for him/herself in which case each individuals appearing shall be limited to three minutes; and to persons representing any group in which case there shall be allowed only one spokesman for the group, who shall be limited to a maximum time of five minutes. Any person requesting this privilege shall be limited to subject matter appearing on the agenda. All speakers must sign up with the Clerk at least 15 minutes before the starting time of the Board meeting. The total amount of time allowed for Privilege of the Floor at a Board meeting will be limited to 30 minutes. The Chairperson of the Board shall have the authority to place additional time limits on how long individuals may speak.

RULE 27. Motion to Reconsider:

No motion for reconsideration shall be in order unless made on the same day, on which the decision proposed to be reconsidered took place. A motion to reconsider must be made by a member who voted with the majority on the decision of the motion or resolution proposed to be reconsidered. When a motion to reconsider has been defeated, it shall not again be submitted to the Board.

RULE 28. Motion to Rescind:

A motion to rescind can only be entertained when moved by a member who voted with the majority in the action which is proposed to rescind, and requires the affirmative vote of a majority of the total. members of the Board.

RULE 29. Weighted Voting:

Until such time as the apportionment of the weighted vote of members of the Board is revised, it is as follows:

	<u>Majority</u>	<u>2/3</u>
Arcadia	171	166
Butler	26	23
Galen	56	49
Huron	28	24
Lyons	73	63
Macedon	117	102
Marion	62	53
Ontario	127	113
Palmyra	102	89
Rose	31	26
Savannah	23	20
Sodus	107	93
Walworth	120	107
Williamson	90	78
<u>Wolcott</u>	<u>56</u>	<u>49</u>
	1189	1055

Whenever in these rules of order there is reference to a majority vote or a 2/3 vote of the Board, it means a majority of the weighted vote of the members of the Board or 2/3 of the weighted vote of the Board. A total of 595 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a simple majority vote. A total of 704 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a 2/3 majority vote. Votes requiring 2/3 majority are: Sale of real property; Overriding the New York State Tax Cap; Creating a new employment position; Appointment of a new person to fill an employment position defined by a term of office; Adopting the Rules of Order, as well as any amendments to the Rules of Order; Incurring long term financial obligations for Wayne County; Placing an OB on the floor; and any place noted in Rule 14 when 2/3 vote is required. Reappointments to positions defined by a term of office shall be

made by majority vote of the full board. The above weighted voting system is based upon the official United States Census for 2010.

RULE 30. Committee Vote and Records:

Because committee reports and recommendations are not binding, Standing Committees shall not use a weighted vote in committee recommendations, however, any member of the Board in compliance with Rule 14 may offer a motion or resolution regarding any matter referred to Committee with or without the benefit of the Committee's report or recommendation. The Standing Committee shall report to the full Board the names of members in favor of or opposed to any measure which is not unanimous. If there is dissent in committee, a member of the dissenting group may present a report of the minority to the Board. Each committee shall take attendance and keep summary minutes of business transacted, said minutes to be turned over to the Clerk for record.

Any member of the public wishing to address a Committee shall give three business days prior notice to the County Administrator, said notice shall consist of the person's name, address and the subject matter that they wish to discuss. The County Administrator shall then determine the appropriate standing committee and discuss with the Committee chairman and the Chairman of the Board of Supervisors, adding said member of the public to said committee agenda. The County Administrator shall notify members of the public whether they have been added to a committee's agenda prior to the committee meeting. Individuals appearing before a committee shall be limited to a five minutes presentation. If more than one person represents any group, there shall be allowed only one spokesperson for the group.

RULE 31. Order of Voting:

The Clerk shall maintain a record of order of voting by roll call and the first call for a vote on motions and resolutions shall be rotated in alphabetical order by towns.

RULE 32. Short Roll Call:

In conjunction with Rule 23, the Chairperson may ask for a short roll call on a matter having no controversy or debate, and hearing no objection, the Clerk may ask for the vote of the Supervisors from Arcadia and Wolcott, or first and last towns alphabetically present at meeting, and if their vote is in agreement the vote will be recorded as unanimous. If there is disagreement, there shall be a full roll call.

RULE 33. Standing Committees:

The Chairman of the Board shall appoint the Standing Committees within ten days from the date of organization in January and file a list of the same with the Clerk. The Chairperson may make temporary appointments to fill vacancies on any committee caused by the resignation or death of a member. In case of the absence of the Chairperson of any committee at any meeting, the second named member on the committee list shall act as temporary Chairperson.

The County Administrator and standing committees shall hold meetings with department heads and shall recommend purchases and be generally responsible to the Board for the orderly operation of the affairs under the committee. The committee not only has the power of making recommendations to the Board but shall make recommendations on all committee matters.

Any direct costs incurred by a member in performing the duties of a committee and mileage expenses to and from meetings shall be reimbursed to him/her by the county.

Committee No. 1

FINANCE COMMITTEE 5 Members

- A. COUNTY TREASURER
 - TAX ADVERTISING
 - CONTINGENCY FUND PROJECTS
 - COMMUNITY COLLEGE
 - LIABILITY & CASUALTY RESERVE FUND

- UNCOLLECTED INSURANCE
 - JUDGMENT & CLAIMS
 - EXPENSES ON ACQUIRED PROPERTY
 - HOSPITAL & MEDICAL INSURANCE
 - SERIAL BOND
 - LIBRARY
- B. INFORMATION TECHNOLOGY
- C. REAL PROPERTY TAX
- D. COUNTY AUDITOR

Committee No. 2

PUBLIC SAFETY COMMITTEE

5 Members

- A. SHERIFF
- STOP DWI
- B. PROBATION
- C. DISTRICT ATTORNEY
- ANIMAL ABUSE INVESTIGATIONS
 - GRAND JURY
 - CRIME VICTIMS' BOARD
- D. PUBLIC DEFENDER
- E. LEGAL DEFENSE OF INDIGENTS
- F. EMERGENCY MANAGEMENT SERVICES
- E-911
 - ALS
 - EMERGENCY MEDICAL SERVICES
 - MUTUAL AID
- G. CORONER
- H. PRE-TRIAL SERVICES
- I. JUSTICE COURT

Committee No. 3

PUBLIC WORKS COMMITTEE

5 Members

- A. HIGHWAY
- MACHINERY
 - CENTRAL GARAGE
- B. BUILDINGS & GROUNDS
- C. CONSUMER AFFAIRS
- D. SOIL AND WATER CONSERVATION

Committee No. 4

ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

5 Members

- A. ECONOMIC DEVELOPMENT & PLANNING
- INDUSTRIAL DEVELOPMENT SITE
 - JOINT MUNICIPAL PROJECTS
 - AGRICULTURAL DISTRICTS
- B. TOURISM
- PUBLICITY
- C. BUS OPERATIONS
- D. COOPERATIVE EXTENSION
- E. PALMYRA UNION AG. SOCIETY
- F. FISH AND GAME

Committee No. 5

GOVERNMENT OPERATIONS COMMITTEE

5 Members

- A. LEGISLATIVE BOARD
 - RULES OF ORDER
 - INTER-MUNICIPAL
 - RE-APPOINTMENTS
 - COUNTY ADMIN.
- B. CLERK OF THE BOARD
 - COURT HOUSE COPIER
 - UNDISTRIBUTED POSTAGE
 - COUNTY OFFICER DUES
- C. COUNTY CLERK
 - HISTORIAN
- D. COUNTY ATTORNEY
- E. BOARD OF ELECTIONS
- F. HUMAN RESOURCES
 - CIVIL SERVICE
 - SALARIES AND BENEFITS
 - WORKERS' COMPENSATION
 - EMPLOYEE RELATIONS
 - UNION NEGOTIATIONS
 - STAFF DEVELOPMENT
 - EDUCATION AND TRAINING
 - EMPLOYEE SAFETY
 - HANDICAP ACCESS
 - AFFIRMATIVE ACTION
 - NEW POSITION RE-CLASSIFICATION
 - CAFETERIA PLAN
 - PRINT SHOP
- G. COMPLIANCE

Committee No. 6

HEALTH AND MEDICAL SERVICES COMMITTEE

5 Members

- A. NURSING HOME
- B. PUBLIC HEALTH
- C. MENTAL HEALTH

Committee No. 7

HUMAN SERVICES COMMITTEE

5 Members

- A. SOCIAL SERVICES
- B. AGING AND YOUTH
- C. WORKFORCE DEVELOPMENT
- D. VETERANS' SERVICES
- E. WAYNE COUNTY ACTION PROGRAM

RULE 34. Special Committees:

Special Committees may be authorized at any legal meeting of the Board. They shall, unless otherwise ordered or directed by a majority of the Board, be appointed by the Chairman of the Board. The period of time that a special committee shall serve shall be designated when it is created. Any person appointed to a special committee shall be notified in writing of such appointment by the Clerk.

RULE 35. Committee Meetings:

A meeting of a committee may be called by a majority of the committee. No committee shall

meet without the committee Chairperson causing the members of the committee to be notified and a majority of the members must be present to act. Notice of Special committee meetings, not regularly scheduled, shall be made to each committee member by telephone contact at the number designated by each committee member for that purpose. Notice of emergency committee meetings shall be given in accordance with the procedures set forth in RULE 3, including the provisions made therein for the conduct of Emergency Meetings.

RULE 36. Executive Session:

On motion of any member duly seconded and carried by a majority vote, the Board shall go into executive session, presided over by the Chairperson of the Board, during which time any matters permitted under the New York State Open Meetings Law may be discussed, debated and voted upon. Only members of the Board shall participate in the executive session and such other persons may be called into the session as may be necessary.

RULE 37. Minutes:

The minutes of the Board shall be printed monthly and delivered by the Clerk of the Board on or before the regular meeting of the Board for the next succeeding month.

RULE 38. Parliamentary Law:

All questions not covered by these rules shall be decided according to Robert's Rules of Order.

RULE 39. Adopted Rules of Order:

Said adopted rules shall control until permanent Chairperson seated and new rules of order are adopted.

Mr. Chatfield moved the adoption of the resolution. Seconded by Mrs. Pagano.

Mr. Baldrige moved to amend **RULE 17. Agenda**, by replacing the phrase 'by two-thirds vote' to 'by simple majority vote', within that rule. Seconded by Mrs. Jacobs.

There was discussion that this Rules of Order amendment would disrupt the current committee process; and that this proposed amendment this would need time for review and consideration by the board

Upon roll call on the amendment, all Supervisors voted Nay, except Supervisors Molino, Baldrige and Jacobs who voted Aye. The Chairman declared the amendment Defeated.

Upon roll call on the original resolution, all Supervisors voted Aye. The Chairman declared the resolution adopted.

RESOLUTION NO. 002-18: OFFICIAL NEWSPAPER DESIGNATIONS FOR 2018

Mrs. Crane presented the following:

RESOLVED, pursuant to Section 214(2) of the County Law, the Wayne County Board of Supervisors hereby designates The Times of Wayne County, published in Macedon, New York and The Sun and Record, published in Williamson, New York as official newspapers for the publications of all Local Laws and Notices and other matters as required by law to be published; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to all County Offices and Departments and each of the above-named newspapers.

Mr. Chatfield moved the adoption of the resolution. Seconded by Mr. Kolczynski. Upon roll call, all Supervisors voted Aye. Supervisor Pagano Abstained from voting. The Chairman declared the resolution adopted.

RESOLUTION NO. 003-18: AUTHORIZATION FOR CLERK TO PURCHASE SUPPLIES FOR THE BOARD OF SUPERVISORS FOR 2018

Mrs. Crane presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to purchase necessary stationery and supplies for the Board of Supervisors for the year 2018.

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

RESOLUTION NO. 004-18: ADOPTION OF INVESTMENT POLICY FOR THE COUNTY OF WAYNE FOR 2018

Mr. Manktelow presented the following:

RESOLVED, that the following policy is hereby adopted:

INVESTMENT POLICY FOR THE COUNTY OF WAYNE

I. SCOPE:

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the County of Wayne's investment activities are, in the priority order,

- *To conform with all applicable federal, state and other legal requirements (legal);
- *To adequately safeguard principal (safety);
- *To provide sufficient liquidity to meet all operating requirements (liquidity); and
- *To obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY:

The governing board's responsibility for administration of the investment program is delegated to the County Treasurer, who shall establish a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE:

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County of Wayne to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION:

It is the policy of the County of Wayne to diversify its deposits and investments by financial institution, by investment instrument, and maturity scheduling.

VI. INTERNAL CONTROLS:

It is the policy of the County of Wayne for all moneys collected by any officer or employee of the government to transfer those funds to the County Treasurer within 5 days of deposit, if less than \$500, the same day of deposit, if more than \$500, or within the time period specified in law, whichever is shorter.

The County Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORY:

Pursuant to Section 212 of the County Law and Section 10 of the General Municipal Law, the depositories designated by the County of Wayne shall be any bank or trust company

authorized to do business in the State of New York; each such depository shall be limited to \$50,000,000 of deposits at any one time.

Investments in trust through a custodial account shall not count towards the \$50,000,000 limit, as they are not deposits, but held in trust in the name of Wayne County. Such investments are not listed on the books of the bank as a deposit and are not used by the bank for any purpose.

VIII. COLLATERALIZING OF DEPOSITS:

In accordance with the provisions of General Municipal Law, 10, all deposits of the County of Wayne, including certificates of deposits and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by:

1. obligations of New York State
2. obligations of the United States
3. obligations of federal agencies, where the principal and interest are guaranteed by the United States
4. obligations of New York State local governments.
5. An "irrevocable letter of credit" issued in favor of the (unit of government) by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any.

IX. SAFEKEEPING AND COLLATERALIZATION:

Eligible securities used for collateralizing deposits shall be held by (the depository and/or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the County of Wayne to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the County, such securities shall be delivered in a form suitable for transfer or with assignment in blank to the County or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the County will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the County a perfected interest in the securities.

X. PERMITTED INVESTMENTS:

As authorized by General Municipal Law, 11, the County of Wayne authorizes the County Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- * Special time deposit accounts;
- * Certificates of Deposits;
- * Obligations of the United States of America;
- * Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- * Obligations of the State of New York;
- * Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorize such investment;
- * Certificates of Participation (COPS) issued pursuant to GML, 109-b;

* Obligations of the County of Wayne, but only with any moneys in a reserve fund established pursuant to GML, 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the County of Wayne within such times as the proceeds will be needed to meet expenditures for the purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the County of Wayne within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS:

The County of Wayne shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution and dealer. All financial institutions with which the County of Wayne conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the County of Wayne. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The County Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS:

The County Treasurer is authorized to contract for the purpose of investments:

1. Directly from an authorized trading partner.
2. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the County of Wayne, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the County Treasurer. All such transactions shall be confirmed in writing to the County of Wayne by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the County of Wayne, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with, or become a part of the backing for any other deposits or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

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

RESOLUTION NO. 005-18: AUTHORIZATION FOR COUNTY TREASURER TO TRANSFER GENERAL FUND CASH TO ALL FUNDS WHEN REQUIRED

Mr. Manktelow presented the following:

WHEREAS, the County has in the past, authorized the transfer of General Fund cash to other Funds in the County on an as needed basis; and

WHEREAS, the County is desirous of continuing this procedure during 2018 when required; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the County Treasurer to transfer cash from the General Fund to other Funds on an as needed, temporary basis; and be it further

RESOLVED, that any transfer is only temporary and must be returned to the General Fund before the end of the fiscal year; and be it further

RESOLVED, that the County Treasurer is hereby directed to inform the County Administrator of a required transfer prior to the transfer being made and report said transfers to

the Finance Committee at its next regular committee meeting after the transfer is made.

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

RESOLUTION NO. 006-18: APPOINTMENT OF CHAIRMAN OF THE BOARD OF SUPERVISORS AND CHAIRMAN OF THE WAYNE COUNTY COMMITTEE OF ECONOMIC DEVELOPMENT AND PLANNING TO THE WAYNE COUNTY INDUSTRIAL DEVELOPMENT BOARD OF DIRECTORS

Mr. Spickerman presented the following:

WHEREAS, pursuant to General Municipal Law Section 856(2) the members of the Board of Directors (the "Board" or "Board Members") of the Wayne County Industrial Development Agency (the "Agency") shall serve at the pleasure of the Wayne County Board of Supervisors (the "County") and the "Board" shall consist of not less than (3) nor more than seven (7) members; and

WHEREAS, according to previous policy, the Chairman of the Board of Supervisors and Chairman of the Wayne County Committee of Economic Development and Planning shall be members of the "Board"; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors appoints the Chairman of the Board and Chairman of the Economic Development and Planning Committee to the "Board" of the Agency to serve until December 31st, 2018 or such time until his/her death, resignation, removal disqualification, or a successor has been elected or appointed.

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

RESOLUTION NO. 007-18: RESOLUTION NAMING ENTITIES THAT ARE 2018 PARTICIPANTS IN THE WAYNE COUNTY SELF-INSURED PLAN FOR WORKERS' COMPENSATION

Mrs. Crane presented the following:

WHEREAS, the towns, villages, and union free and central school districts within Wayne County may elect to participate in the Wayne County Self-Insured Workers' Compensation Plan in accordance with the local law governing the plan; and

WHEREAS, volunteer fire departments' and volunteer ambulance corps' participation in the plan is determined by the participation of the town in which the volunteer fire departments or volunteer ambulance corps are located; and

WHEREAS, volunteer fire departments and volunteer ambulance corps may not elect to enter or leave the plan as individual entities; now, therefore, be it

RESOLVED, that the following entities are 2018 participants in the Wayne County Self-Insured Workers' Compensation Plan:

1. Wayne County

TOWNS OF:

- | | | |
|------------|-------------|----------------|
| 2. Arcadia | 7. Macedon | 12. Savannah |
| 3. Butler | 8. Marion | 13. Sodus |
| 4. Galen | 9. Ontario | 14. Walworth |
| 5. Huron | 10. Palmyra | 15. Williamson |
| 6. Lyons | 11. Rose | 16. Wolcott |

VILLAGES OF:

17. Clyde
18. Newark
19. Palmyra
20. Red Creek
21. Sodus

22. Sodus Point
23. Wolcott

and, be it further

RESOLVED, that, as a result of town participation, volunteer members of the following fire departments and ambulance corps are also covered by the plan:

Volunteer Fire Departments:

1. Fairville Fire Department (Arcadia)
2. Marbletown Volunteer Fire Department (Arcadia)
3. Newark Volunteer Fire Department (Arcadia)
4. South Butler Fire Department (Butler)
5. Galen-Clyde Volunteer Fire District (Galen)
6. Lyons Fire Department (Lyons)
7. Macedon Center Fire Department (Macedon)
8. South Macedon Fire Department (Macedon)
9. Marion Fire Department (Marion)
10. Ontario Fire Company (Ontario)
11. Union Hill Fire Department (Ontario)
12. East Palmyra Fire Department (Palmyra)
13. Palmyra Fire Company (Palmyra)
14. North Rose Fire Department (Rose)
15. Rose Fire Company (Rose)
16. Savannah Fire Company (Savannah)
17. Alton Fire Company (Sodus)
18. Sodus Fire Company (Sodus)
19. Sodus Center Fire Company (Sodus)
20. Sodus Point Fire Department (Sodus)
21. Wallington Fire Company (Sodus)
22. Lincoln Volunteer Fire Department (Walworth)
23. Walworth Fire Department (Walworth)
24. West Walworth Volunteer Fire Department (Walworth)
25. East Williamson Fire Department (Williamson)
26. Pultneyville Fire District (Williamson)
27. Williamson Fire Department (Williamson)
28. Red Creek Fire Company (Wolcott)
29. Wolcott Fire Department (Wolcott)

Volunteer Ambulance Corps:

1. Newark-Arcadia Volunteer Ambulance (Arcadia)
2. Town of Galen Ambulance (Galen)
3. Town of Lyons Ambulance (Lyons)
4. Town of Macedon Ambulance (Macedon)
5. Marion Volunteer Ambulance Inc. (Marion)
6. Ontario Volunteer Emergency (Ontario)
7. Union Hill Volunteer Ambulance (Ontario)
8. Eastern Wayne Emergency Medical Services (Savannah)
9. Silver Waters Community Ambulance (Sodus)
10. Sodus Town Ambulance (Sodus)
11. Walworth Ambulance (Walworth)
12. Williamson Volunteer Ambulance (Williamson)
13. Lakeshore Volunteer Ambulance (Wolcott)

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

RESOLUTION NO. 008-18: AUTHORIZATION TO ADOPT THE 2018 WAYNE COUNTY DISABILITY BUDGET MS-FUND FOR DISABILITY PROGRAM

Mrs. Crane presented the following:

WHEREAS, the 2018 County Budget needs to be amended for the costs associated with the Disability Program, now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors does hereby approve the 2018 budget for the Disability Program and authorize the County Treasurer to amend the 2018 budget as follows:

(REVENUES)

MS9055.42709	Employee Contributions	\$ 20,875.00
MS9055.42801	Interfund Reimbursement of Expenses	\$140,000.00

(APPROPRIATIONS)

MS9055.54000	Contractual Expense	\$ 20,000.00
MS9055.58600	Disability	\$140,875.00

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

RESOLUTION NO. 009-18: AUTHORIZATION FOR COUNTY TREASURER TO ADJUST MS FUND BUDGET ALLOCATIONS (2018)

Mrs. Crane presented the following:

WHEREAS, the Treasurer requires authorization to adjust the MS Fund Budget Allocations to reflect the 2018 budget of the Wayne County Health Care Plan Trust, now, therefore be it

RESOLVED, that pursuant to Article 6 of the Wayne County Health Care Plan Trust Agreement, the Wayne County Board of Supervisors does hereby authorize the County Treasurer to adjust the 2018 MS Fund allocations to reflect the budget for the Health Care Plan and authorize the County treasurer to amend the 2018 budget as follows:

REVENUES

MS9060.41616	Self Pays	\$180,000.00
MS9060.41622	COBRA	\$15,000.00
MS9060.42401	Interest Earnings	\$2,000.00
MS9060.42680	Insurance Recoveries	\$300,000.00
MS9060.42709	Employee Contributions	\$1,380,000.00
MS9060.42710	Town/Village Contributions	\$375,000.00
MS9060.42801	Interfund Reimbursement	\$11,500,000.00
TOTAL REVENUES		\$13,752,000.00

APPROPRIATIONS

MS1710.54000	Contractual Expense	\$340,000.00
MS1710.54104	Affordable Care Act	\$40,000.00
MS1710.54166	Postage	\$100.00
MS1710.54300	Insurance	\$504,710.00

MS1710.54501	Accountants & Auditors	\$12,000.00
MS1710.54506	Attorneys	\$4,000.00
MS1710.54456	Printing	\$300.00
MS1710.54521	Records Storage	\$25.00
MS9060.58400	Hospitalization Expense	\$12,850,865.00
TOTAL APPROPRIATIONS		\$13,752,000.00

and be it further

RESOLVED, that the County Treasurer is authorized to transfer funds as needed within the MS Fund in order to pay for necessary and authorized expenses associated with the Wayne County Health Care Plan Trust.

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

RESOLUTION NO. 010-18: APPOINTMENT OF WAYNE COUNTY ADMINISTRATOR

Mrs. Crane presented the following:

RESOLVED, that Richard House is hereby appointed to the position of County Administrator for a two-year term of office commencing January 1, 2018 through December 31, 2019 at the salary of \$120,099.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Verkey. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 011-18: APPOINTMENT OF WAYNE COUNTY ATTORNEY

Mrs. Crane presented the following:

RESOLVED, that Daniel Connors is hereby appointed to the position of Wayne County Attorney for a two-year term of office commencing January 1, 2018 through December 31, 2019 at the salary of \$110,859.

Mr. Kolczynski moved the adoption of the resolution. Seconded by Mrs. Pagano. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 012-18: APPOINTMENT OF WAYNE COUNTY PUBLIC DEFENDER

Mrs. Crane presented the following:

RESOLVED, that James Kernan is hereby appointed to the position of Wayne County Public Defender for a two-year term of office commencing January 1, 2018 through December 31, 2019 at the salary of \$100,515.

Mr. Verkey moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 013-18: APPOINTMENT OF WAYNE COUNTY AUDITOR AND MANAGEMENT ASSISTANT

Mrs. Crane presented the following:

RESOLVED, that Patrick Schmitt is hereby re-appointed to the position of Wayne County Auditor for a two-year term of office commencing January 1, 2018 through December 31, 2019, and his duties also include the duties of the position of Management Assistant, at the salary of \$79,671.

Mr. Kolczynski moved the adoption of the resolution. Seconded by Mr. Manktelow. all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 014-18: AUTHORIZATION TO APPOINT MEMBERS TO THE REGIONAL FISH AND WILDLIFE MANAGEMENT BOARD (LEGISLATURE)

Mr. Spickerman presented the following:

WHEREAS, Pursuant to Section 11-0501 of the Environmental Conservation Law, this Board oversees a cooperative program for purposes of obtaining privately-owned or leased lands and waters of the State, practices of fish and wildlife management, which will preserve and develop fish and wildlife resources of the State and improve access to them for recreational purposes; and

WHEREAS, Steve LeRoy and Laurie Crane have expressed an interest in continuing as the Legislative Representatives on the Regional Fish and Wildlife Management Board; now, therefore, be it

RESOLVED, that the following individuals are hereby appointed to the Regional Fish and Wildlife Management Board, for two-year terms ending December 31, 2019:

Steven LeRoy (Legislature)	Laurie Crane (Legislature Alternate)
14-16 Mill Street	7903 Dutch Street Road
Sodus, NY	Wolcott, NY

and be it further

RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the appropriate County and State Officials.

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

RESOLUTION NO. 015-18: ADOPTING NEW WAYNE COUNTY PURCHASING POLICY EFFECTIVE 1/1/18 AND RESCINDING RESOLUTION NO. 156-17

Mr. Manktelow presented the following:

WHEREAS, the Board of Supervisors adopted a County Purchasing Policy and Procedure manual with Resolution No. 156-17; and

WHEREAS, the Purchasing Clerk along with the County Administrator, Management Assistant, and County Attorney have review the policy and have recommended changes to the policy to be effective for physical year 2018; now, therefore, be it

RESOLVED, that the Board of Supervisors Rescinds Resolution No. 156-17 and adopts the following purchasing policy effective 1/1/2018:

WAYNE COUNTY PURCHASING POLICY

DEFINITIONS

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

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

Change Orders. Work that is added to or delete from the original scope of work of a contract, which alters the original contract amount and/or completion date. Change orders must be approved by the Board of Supervisors unless otherwise specifically delineated by a resolution.

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

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

Equipment. Any item which has a purchase price of \$1000.00 or more, and which has a useful life of more than 1 (one) year. These items are included in the Equipment Addendum as a .2 expenditure.

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

Practicable. Means sufficient performance and not unreasonably expensive.

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

public work.

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

Accounting (CPA)	Investment Management Services
Advertising Agency Promotion	Laboratory Testing
Architectural	Legal
Computer Customized Software	Management of Municipally Owned Property
Programming Services	Medical/Dental Services
Consultants	Public Relations
Design Services	Records Indexing
Engineering	Writing, Editing or Artwork
Instructors/Teachers/Training	Investment Management Services
Insurance Carriers and/or Insurance Broker	DSS Legal Counsel (if privately contracted)

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

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

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

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

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

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

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

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

MISSION STATEMENT OF THE PURCHASING POLICY

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

The responsibility and authority for acquiring goods and/or services and other related tasks has

been delegated to the Purchasing Agent, Purchasing Clerks, Department Heads and Account Clerks.

AUTHORITIES

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

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

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

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

LIMITS AND CONTROLS

REGULATION

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

PROCEDURE

1. The authorized limits for purchasing transactions shall be reviewed annually by the County Purchasing Clerk and, if necessary, adjusted by the Finance Committee, to more accurately reflect the market pricing, inflation, processing expenses, and the County's utilization experience.
2. Prior to submitting a purchase requisition to the Purchasing Department, County staff are to refer to and follow:

Schedule A: Authorization Levels & Procedures: Purchase of Materials, Supplies and Equipment & Public Works Contracts, and

Schedule B: Authorization Levels & Procedures: Professional Services.

PURCHASING REGULATIONS

1. The Purchasing Clerk shall authorize and administer all purchase orders for the County for the acquisition of materials, supplies, equipment and services over \$5,000 in accordance with established procedures. The procedures contained herein are applicable for purchases in excess of five thousand dollars (\$5,000) for all County departments.
2. The County shall purchase materials, supplies, equipment and services as required, at the best possible prices, and maintain and attach appropriate documentation above \$5,000. Depending on the type and amount of the purchase, purchases will be secured by use of written requests for proposals, requests for quotes, competitive public bids, to ensure that goods will be purchased for the best interest of Wayne County, and that

- favoritism will be avoided.
3. Purchases shall be made to the extent practicable, through available state contracts of the Office of General Services, Division of Standards and Purchase, Department of Correctional Services, New York State Industries for the Disabled, Industries for the Blind of New York State, surplus and second-hand purchases from another governmental entity, and competitive purchase contracts from contiguous counties and municipal cooperatives, whenever such purchases are in the best interest of the County.
 4. Opportunity shall be provided to all responsible vendors to do business with the County. To this end, the Purchasing Clerk shall develop and maintain lists of potential vendors for various types of materials, supplies, equipment and services. Such lists shall be used to develop mailing lists of potential suppliers and for distribution of specifications, invitations to bid, RFPs and RFQs. Any supplier may be included in the list upon request. Exceptions include vendors named ineligible by the NY State Office of General Services, or those who's past business practices have disqualified them from doing business with the County.
 5. When soliciting bids and proposals, a statement of "General Conditions Agreement" shall be included with all specifications submitted to suppliers. These general conditions shall be incorporated in all contracts awarded for the purchase of materials, supplies, equipment and services.
 6. No official or employee of the County shall have financial interests in any purchase or contract secured by the County, without disclosure to and authorization from the originating department's standing committee. No official or employee of the County shall participate in collusive activity. This precludes:
 - a. acceptance of gratuities, financial or otherwise, by the above persons, from any supplier of materials, supplies, equipment or services to the County; and/or
 - b. the sharing of bids, RFPs, or specifications with potential bidders prior to the competitive process,
 - c. assisting a supplier or firm to win a contract award prior to or during the competitive process, and/or
 - d. all other activities prohibited by federal, state, or local law.
 7. The County Purchasing Clerk in conjunction with the County Auditor developed the following procedures upon receipt of any inquiry or allegation in violation of this policy:
 - 1st inquiry/allegation – review of purchasing policy with alleged violator
 - 2nd inquiry/allegation – internal audit of violator's purchasing practices for prior 6 months and required corrective action plan for any findings
 - 3rd inquiry/allegation and all future inquiry/allegation's - referred to County administrator to address
 8. Wayne County shall not pay for materials, supplies, equipment and services in advance.
 9. All purchases from the equipment addendum should be purchased within the first 6 months of the fiscal year, unless otherwise documented with an explanation. A Requisition is still required for all equipment purchases with the required documentation.
 10. All office supplies should be purchased through the Staples or Amazon Business; in addition all toner should be ordered through the County Purchasing Clerk.
 11. Only one contract may be applied to a quote and/or invoice at a time; if more than one contract is being used they MUST be invoiced separately. In addition, the quote and/or invoice MUST include the contract number being used. Also, if an item is not on a contract, that too must also be invoiced separately.

Best Value (Resolution 301-14)

General Municipal Law §103 now provides local governments greater flexibility in awarding contracts by authorizing the award of purchase contracts, including contracts for service work on the basis of best value. With the increased complexity of the goods and services that the County must obtain in order to serve taxpayers, it is critical to consider selection and evaluation criteria that measure factors other than cost in the strictest sense. Best value procurement links the procurement process directly to the County's performance requirements, including,

but not limited to, selection factors such as useful life span, quality and options and incentives for more timely performance and/or additional services. Best value procurement can provide much needed flexibility in obtaining important goods and services at favorable prices, and can reduce the time to procure such goods and services.

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

Requirements:

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

PURCHASING PROCEDURES

1. **Determining and Documenting Type.** Every **aggregate total** purchase over five thousand dollars (\$5,000); must have a completed requisition which will be reviewed by the Purchasing Clerk to determine whether it is a purchase contract, a public works contract, or a professional service. A good faith effort will be made to determine if the aggregate amount to be spent on the item of supply or service throughout the county requires quotes, competitive bidding or a request for proposal, taking into account the aggregate amount to be spent in past years.
 - A. An opinion that a purchase is not subject to the county's purchasing policy will need a resolution adopted by the Board of Supervisors, explaining why, unless the purchase is listed as an exemption; the resolution should then be attached as backup to the requisition before sending to the Purchasing Clerk. The Purchasing Clerk must sign off on the resolution transmittal concurring with or overriding the department's opinion. The Purchasing Clerk may request documentation, this documentation may include written quotes from vendors, a memo from the purchaser indicating how the opinion was arrived at, a copy of the contract indicating the source which makes the item or service exempt, documentation from the Chairman and/or County Administrator declaring an emergency, or any other written documentation that is appropriate.
 - B. If the purchase is subject to competitive bidding or is a professional service, the department shall complete and submit a Purchase Requisition and refer to Schedule A and Schedule B of this policy for procurement procedures.
2. **Purchase Requisition.** Purchase Requisitions are required for all purchase orders and contracts, they must be completed with the required documentation by the department requesting the product or service and forwarded to the Purchasing Department before a purchase order or contract can be issued. Departments shall complete a Purchase Requisition specifying the services, and/or item(s) requested in as much detail as possible. Details concerning quality and grade, specifications, including samples from vendor catalogs, should be attached, as well as any required quotes, resolutions and bid documents. All proper documentation must be attached for the requisition to be approved and converted.

3. Authorization. The Purchasing Clerk ensures compliance with the authorization limits and controls outlined in "Schedule A: Authorization Levels & Procedures: Purchase of Materials, Supplies and Equipment & Public Works Contracts," and "Schedule B: Authorization Levels & Procedures: Professional Services."
4. Confirmation/Inspection. Upon receipt of goods or completion of services, the department shall conduct a visual inspection and cross check against the specifications as negotiated and agreed upon through the purchasing process. Should goods be received which were not ordered, or are damaged, or services do not meet the terms of the Purchase Order or Contract, DO NOT SIGN OFF ON ANY PAPERWORK - contact the Purchasing Department. Failure to complete and document inspection may result in delay of payment.
5. Payment. The Department submits the original invoice to Audit with the appropriate Purchase Order or Contract number.

**COMPETITIVE BIDDING
REGULATIONS**

1. Purchase contracts for materials, supplies and equipment involving an estimated County expenditure in excess of \$20,000, and Public Works contracts in excess of \$35,000 within a calendar year, shall be awarded only after public advertising soliciting formal bids pursuant to Section 103 of the General Municipal Law.
2. The Clerk of the Board or designee shall be responsible for all required public advertising and competitive bidding, shall conduct all bid solicitations and openings, and shall provide recommendations for awarding contracts.
3. County officials and employees are prohibited from engaging in collusive activities with potential vendors. In cases where information is needed from an industry source to help prepare specifications, the requisitioner should consult with the Purchasing Clerk before contacting a potential vendor.
4. Bids will be awarded to the lowest responsible, responsive bidder or upon determination of best value, depending on which criteria is in the bid specifications before public advertising requesting submission of sealed bids.

If there is a tie between the lowest bidders based on price, a business that has its primary operations based in Wayne County would be selected. If both or neither have operations based in Wayne County a coin toss will be done to determine who is the awarded bidder.

6. Prevailing Wage: The term Public Works Contract applies to those items or projects involving labor or both materials and labor. Under Article 8 of the New York State Labor Law, Prevailing Wage Rates apply when a laborer, workman or mechanic is employed. There is no minimum dollar amount.
 - All vendors must be provided with the New York State Department of Labor PRC number assigned to each individual project so that appropriate labor rates are included in their quotes/bids.
 - On occasion, the New York State Department of Labor, Bureau of Public Works, upon receiving complaints for non-payment of prevailing wages shall direct the County to withhold payment to a vendor. The original notice is forwarded to the County Attorney a copy is then sent to the Superintendent of Public Works, County Auditor, Purchasing Clerk, and Treasurer's office.
 - Contractors and the applicable County Departments must check the prevailing wage schedules for each project on the first working day of the month. The Department of Labor posts corrections to each schedule (when applicable), and both parties must be informed of all updates to ensure proper payment to the Contractor's employees, and the for the purpose of checking certified payrolls.
 - New York State Office of General Services obtains a prevailing wage schedule for the State when awarding an OGS State contract. However, if the County uses the State Contract, the County is required to obtain a separate prevailing wage schedule specific to

that County project.

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

PROCEDURES

1. **Specifications.** If a purchase is deemed subject to competitive bidding, the requisitioner will assist the Purchasing Clerk in the preparation of specifications for the Bid. It is the responsibility of the Purchasing Clerk to make alternative suggestions to the requisitioner if, in the judgment of the Purchasing Clerk, the specifications would restrict competition or otherwise preclude the most economical purchase of the required items. In case of disagreement as to the content of the specifications, the County Attorney, after reviewing all available data, will make the final determination. The finalized specifications will be approved by the requesting Department, and the County Attorney; a copy will be maintained in the bid solicitation file in the Board of Supervisors office.
2. **Advertisement and Bids.** The advertisement for bids shall be in accordance with the provisions of the General Municipal Law. The Clerk of the Board shall publish the advertisement in the official newspapers designated by the Board of Supervisors and any other print or electronic publications that will insure receipt of responsible and competitive bids. The requesting Department may recommend additional sources for publication. Copies of the public notice, list of all publications, and publication dates shall be maintained in the bid solicitation file. During the period a bid is let, if the Purchasing Clerk determines an amendment is warranted, all known bidders will be notified of the amendment by the Clerk of the Board.
3. **Bid Openings.** Sealed bids shall be opened by the Clerk of the Board, and the Purchasing Clerk, and will be publicly opened and read at a time and place published in the bid documents. Bids received after the published time will not be accepted and will be returned unopened. The Clerk of the Board or the Purchasing Clerk, and at least one County employee, must be present for the bid opening. **No bids are to be opened by a County representative alone.** The public and interested parties may attend the bid opening. At the bid opening, the Purchasing Clerk or designee shall prepare a bid tabulation sheet indicating the date, time and location of the bid opening, a listing of the bidders, item being bid, and bid price. This tabulation shall be maintained in the bid solicitation file.
4. **Bid Evaluation.** Following the opening of bids, they will be evaluated by the Purchasing Clerk and the Requesting Department and will be awarded to the lowest responsible, responsive bidder or upon determination of best value, depending on which criteria is in the bid specifications.
 - A. The County must have assurance that the successful bidder will be able to perform satisfactorily under the contract. "Responsibility" of bidders shall be determined based upon financial stability, production capability, ability to deliver on time, ability to provide service if required and past performance. A "responsive" bid is one which is in conformance with the published specifications and requirements, essentially void of contravening terms, gratuitous additions, and unilateral mistakes or obvious errors made in calculating or presenting figures, and reasonable in price.
 - B. A bid which is not responsive to the specifications, terms and conditions of the bid shall be rejected by the Purchasing Clerk. In all instances where bids are rejected, the Purchasing Clerk shall document in writing the specific reasons to substantiate the determination. This documentation shall be maintained in the bid solicitation file.
 - C. Where the basis for award is best value, documentation in the procurement record shall, where practicable, include a quantification of the application of the criteria to the rating of proposals and the evaluation results, or, where not practicable, such other justification which demonstrates that best value will be achieved.
5. **Award.** The Board of Supervisors shall award the bid on the basis of the summary and

evaluation. The announcement of bid award shall be made in the monthly Board of Supervisors meeting.

6. **Reservation of Rights.** The County of Wayne reserves the right to reject any and all bids or proposals.

PROFESSIONAL SERVICES

REGULATIONS

1. Contracts for professional services, which are exempt under the General Municipal Law, Section 103 are not subject to competitive sealed bidding requirements, but are subject to the guidelines of GML 104-b for competitive pricing to be obtained for these services. These services must be procured in a manner so as to assure the prudent and economical use of public monies. Professional services and services requiring special or technical skill, training or expertise are not purchase contracts or contracts for public work, as those phrases are used in the bidding statutes and therefore are not subject to competitive bidding procedures. The determination of whether the professional service exception is applicable in given situations must be made on a case-by-case basis, examining the particular services to be acquired.
2. County officials and employees are prohibited from engaging in collusive activities with potential vendors. In cases where information is needed from an industry source to help prepare specifications, the requisitioner must consult with the Purchasing Clerk before contacting a potential vendor.
3. Competitive procedures for professional services may include Requests for Quotations (RFQ), Requests for Proposals (RFP), and pre-qualification for engineering, architectural, and computer science services. Authorization limits and controls are outlined in "Schedule B: Authorization Levels & Procedures: Professional Services."
 - Contracts are required for all vendors on Wayne County Property
4. Contracts for professional services must be made in the best interest of the County. Professional services may be awarded based on the following methods.
 - A. The "**Lowest Cost for Service**" method which allows for awarding to the lowest proposer, OR other than the lowest proposer when the lowest proposal is deemed as non-responsive. Documented facts must support the decision and approval must be obtained from the appropriate committee.
 - B. The "**Best Value**" method, based on weighted average scores from all criteria stated in the RFP specifications and submitted by sealed proposals
5. A good faith effort shall be made to obtain the required number of quotations or proposals. Appropriate supporting documentation shall be maintained if the Purchasing Department and the requesting department is unable to obtain the required number of quotations or proposals. In no event shall the inability to obtain the quotations or proposals be a barrier to procurement of services.

PROCEDURES

1. Determination. Inquiries to determine whether a proposed service qualifies as professional shall be made to the Purchasing Clerk, who in turn may consult with the Department Head, and/or the County Attorney, taking into consideration the following guidelines:
 - A. Whether the services are subject to State licensing or testing requirements;
 - B. Whether substantial formal education or training is a necessary prerequisite to the performance of the services;
 - C. Whether the services require an enduring professional and/or confidential relationship between the County and a vendor of proven ability.
 - D. Whether the services have been previously determined to be professional services (See DEFINITIONS).
2. **Solicitation.**
 - A. The Purchasing Clerk shall use "Schedule B: Authorization Levels & Procedures: Professional Services" to determine the solicitation procedure.
 - B. RFQs, RFPs, and pre-qualification surveys, at minimum, should include:

1. Solicitation of a sufficient number of qualified firms. While this number will vary depending upon the situation, a minimum of three (3) firms should be contacted, if possible.
2. The needs of the County and the desired format of the vendor's response must be shown as clearly and as specifically as possible. Vagueness in the requests will hamper the award process.
- C. In consultation with the Department Head, the Purchasing Clerk will develop a list of potential vendors.
- D. During the period a bid is let, if the Purchasing Clerk determines if an amendment is warranted, all known bidders will be notified of the amendment.
3. **Evaluation.** Evaluation of proposals shall be conducted by a committee formed or designated for such purpose, which must include, at a minimum, the Department Head and Purchasing Clerk. The members of the committee should evaluate and rank proposals in accordance with pre-determined factors such as price, staffing and suitability for needs, reliability, skill, education and training, experience, demonstrated effectiveness, judgment and integrity. This process should culminate in a report summarizing all proposals and recommending an award.
4. **Award.** Awards for professional services shall follow the procedures outlined in the CONTRACTUAL OBLIGATIONS section of this policy.
5. **Pre-qualification.** The Purchasing Clerk shall develop and conduct a public competitive process to pre-qualify lists of engineering, architectural, and computer science services, which can reasonably be estimated to cost less than \$10,000 per project or \$20,000 per public work project.
 - A. The pre-qualification process shall be conducted every three (3) years by the Purchasing Clerk, in consultation with appropriate department heads.
 - B. The pre-qualification process shall not obligate the County to the expenditure of monies to any firm.
 - C. Firms contracted to write grants shall not obligate the County in the grant application to any further contracts with the firm.
 - D. Pre-qualification programs conducted by New York State or New York State professional associations may be accepted.
 - E. The pre-qualification lists are subject to the approval of the Finance Committee and the Board of Supervisors.

COMMUNICATIONS DURING BID/RFP PROCESS

1. All Bids/RFPs shall include a statement of communications restrictions that reflect the following:
 - A. Communications with the County shall be solely through the Purchasing Clerk during the Solicitation and Evaluation Period, which is defined as the time of issuance of Bid/RFP documents until the time an award is made.
 - B. There shall be no unauthorized communications among vendors, County officials, employees, and the news media regarding Bids/RFPs during the Solicitation and Evaluation Period, without prior written approval from the Purchasing Clerk.
 - C. Necessary, incidental or unauthorized communications, whether initiated by a vendor, County official, employee, or news media, must be reported to the Purchasing Clerk immediately, and in writing within two (2) business days, and will become part of the bid/RFP file.
 - D. If a vendor exists under current contract for the materials or services solicited in a Bid/RFP, and contact between the vendor and requesting department is necessary to maintain operations or perform repairs during the Solicitation and Evaluation Period, Department Heads must report the contact to the Purchasing Clerk, as required by Section c above. During such necessary contact, the Bid/RFP shall not be discussed.
 - E. If the Bid is being solicited by a Planning House, all communications will go through the Planning House not the Purchasing Department.

- F. All responses to vendor questions will be made in writing under the same restrictions. All known bidders/proposers will receive copies of written responses to ensure that all have equal access to information.
- G. All communications or contacts are limited to the Purchasing Clerk, during normal operating hours, 9 a.m. to 5 p.m., unless otherwise part of an on-site pre-bid meeting, Planning House or vendor site visit scheduled by the Purchasing Clerk.
- H. All bidders/proposers must include a signed Non-Collusion Statement with their Bids/RFP.
- I. Depending on the nature and circumstances of unauthorized communications, violations of this policy may result in the rejection of the vendor's bid or proposal and/or disciplinary action against the County official or employee.
- J. All sealed bids and proposals will be turned in to the Clerk of the Board, 26 Church St Lyons, NY 14489.

BID PROTESTS

1. **Purpose:** Any actual or prospective bidder, offeror or contractor who is aggrieved in connection with the solicitation or award of a contract may file a protest with the Purchasing Department of Wayne County. The procedures for submitting such protests are set forth herein.
2. **Definitions:**
 - A. The term "County" shall mean Purchasing Department of Wayne County.
 - B. The term "Bidder" shall mean any actual or prospective Bidder, offeror or contractor who is aggrieved in connection with the solicitation or award of a contract pursuant to an Invitation for Bids, Request for Proposals (RFP) or other form of procurement solicitation.
 - C. The term "interested party" includes all bidders on the contract or procurement. The term also includes a subcontractor or supplier at any tier who shows that he/she has a substantial economic interest in a provision or in the interpretation of such a provision of a Bid, RFP or other form of procurement solicitation.
3. **Contents of Protest:** A Bidder desiring to file a protest may submit a written protest to County's Purchasing Clerk. The protest must include:
 - A. the name and address and telephone number of the Bidder;
 - B. identification of the contract or bid solicitation being protested;
 - C. a detailed and factual statement of the grounds for protest;
 - D. supporting documentation; and
 - E. the desired relief, action or ruling.
4. **Time for Filing:**
 - A. Protests alleging restrictive specifications or improprieties in the bid solicitation which are or should be apparent prior to the bid due date must be received by the County not later than three working days prior to the bid due date.
 - B. All other protests must be received by the County within five working days after the opening of the Bid/RFP.
 - C. Any additional information relevant to the protest requested by the County from the protestor shall be submitted to the County as expeditiously as possible, but in no case later than three working days after receipt.
 - D. The time limits set forth in this section must be strictly adhered to. The County will not consider a protest or additional documentation which is not received by the Purchasing Department within the time periods set forth in this section.
5. **Action by the County:**
 - A. Upon receiving a protest, the Purchasing Clerk shall notify the County Administrator and the County Attorney that a protest has been received.
 - B. If an award of a contract has already been made at the time that a bid protest is received, the County will notify the contractor of the protest, and will delay the issuance of any notice to proceed until the protest has been disposed of.
 - C. If an award of a contract has not already been made, but bids have been opened,

the County will notify all bidders who appear to have a substantial and reasonable prospect of receiving an award if the protest is denied.

- D. A recommendation to the Board of Supervisors will not be made for contract award until a written response to a bid protest has been prepared by the Purchasing Clerk and such response has been transmitted to the protestor.
 - E. If a bid protest is filed before the due date for receiving bids, the County will notify all bidders from whom bids have been received of the filing of a protest and that bids will not be opened until the protest has been resolved.
 - F. The filing of a protest will not alter the date on which bids are due. Bids will not, however, be opened by the County until such time as the protest is resolved.
 - G. If the County determines that the protest has merit and that the contract must be rebid, the County will set a new date for the submission of bids as set forth in following section (H).
 - H. The County shall make a decision regarding the protest and send notice of that decision to the protestor within ten working days following receipt of the protest by the County. The notice of the decision shall outline the factors upon which the decision is based.
 - I. The Purchasing Clerk shall notify the County Administrator and County Attorney concerning the decision.
 - J. If the relief, action or ruling requested by the protestor is granted, the County will take appropriate actions to amend the bid solicitation or terminate the procurement process.
6. **Furnishing Information on Protests:** The County shall, upon request, make available to any interested party information bearing on the substance of the protest which has been submitted by the protestor except to the extent that withholding of information is required by law or regulation. Any comments on this material must be received by the County within three working days, but in no event will a decision be delayed because an interested party has not had an opportunity to provide comments.

CONTRACTUAL OBLIGATIONS

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

- 1. All contractual agreements committing the County to any obligation, shall require the signature of the Chairman of the Board of Supervisors. Anyone who executes an agreement in violation of this stated policy shall assume personal liability for any and all obligations, monetary or otherwise.
- 2. All contracts must be approved by the County Attorney and signed by the Chairman; no County employee shall sign any agreements or contracts.
- 3. Awards made on the basis of Best Value must be properly documented, including the rationale for selection of the Vendor.
- 4. A contract with current insurance is required for all vendors that come on Wayne County property, no matter the anticipated cost (pursuant to Res 584-15)
 - If the risk associated with the contract requires the modification of the Wayne County insurance requirement (Res 584-15), it must be presented to the Ad-Hoc Committee consisting of the County Attorney, Insurance Specialist and the County Auditor
 - If you predict our current insurance requirements (Res 399-15) are too stringent for the item or service being provided, the Ad-Hoc committee must be notified and consulted **BEFORE** RFQ, RFP or Bid is issued.
- 5. The Chairman may sign contract renewals with no amendments and new contracts under \$5,000.00 after review and approval of the County Attorney.
- 6. Items and/or services that are specifically delineated in a Department's budget, do not need a resolution before beginning the proper purchasing procedures contained within.
- 7. A Department Head shall pick the option of the contracts to be effective for one year with

the option to renew for two (2) additional one (1) year periods, or the contract be executed for a full three (3) year term; unless earlier terminated.

8. All service and/or maintenance contracts are required when work is being performed on County owned property; regardless of the amount. Before any person or business renders a service to the County you need to have an executed contract with insurance certificates in place and an authorizing Resolution (if needed). The procedure must be followed regardless of how long the services will be rendered.

PROCEDURES

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

EMERGENCY PURCHASES

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

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

EXEMPTIONS TO THE PURCHASING POLICY

1. Purchases may be exempted from competitive bidding and RFP or RFQ by the County Purchasing Clerk when it is clearly determined that there is only one vendor capable of providing a particular material or service. Status of a vendor as a sole or single source shall be fully and clearly documented on the vendor's official letterhead and on file with the County Purchasing Clerk in addition the sole/single source status should be declared by the Board of Supervisors in an appropriate resolution.
2. In accordance with Section 104 of the General Municipal Law, emergency purchases may be waived from competitive bidding in case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants require immediate action.
3. Membership and conference fees
4. All Physician, Dentists and any Medical Providers, Counseling Services
5. Subscriptions and valid memberships dues, a resolution must be approved by the board

- to join any memberships
6. Public Work Services where, upon the determination by the Superintendent of Public Works, it is not feasible to determine the amount to be spent for repairs to vehicles, equipment or machinery (outside of standard repair to be handled by the County employees including Central Garage), until the item is inspected and/or dismantled and a cost for the inspection or diagnosis has already been incurred and for which it would not be practical to transport the equipment or machinery for multiple quotes, If auto repairs are authorized by the Insurance Provider as a result of an collision, the Superintendent of Public Works may proceed upon the recommendation of the Insurance Adjuster.
 7. When purchases for goods or services are funded by State and/or Federal agencies, and procurement policies other than Wayne County are required, by law, to be followed, the Federal and/or State procurement policies shall override the County's Purchasing Policy.
 8. Interdepartmental charges and agreements by which the County departments are able to charge other County departments for services rendered and/or goods or supplies
 9. Assigned Council
 10. Employee reimbursements
 11. Legal Notices
 12. Utility Bills
 13. Postage meter and stamp costs
 14. Youth Placement Agencies
 15. Pass thru money

SINGLE AND SOUL SOURCE

Competitive Bidding is not required under section 103 of the General Municipal law in those limited situations when there is only one possible source from which to procure goods and services required in the public interest such as in the case of certain patented goods or services.

Sole Source can be a manufacturer, software developer or service provider that sells direct and there are no other sources offering an "or equal". Prior to a vendor being considered, a sole source letter from the manufacturer must be on file with the County Purchasing Clerk detailing their sole source status, this is the responsibility of the requesting department.

Single Source could be a distributor/wholesaler/retailer that has a contractual agreement for a specific territory to the exclusion of others. Should you have a situation involving a single source supplier, a letter on the manufacturer's letterhead must be on file with Purchasing confirming the single source authorized vendor, this is the responsibility of the requesting department.

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

STANDARDIZATION

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

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

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

ALTERNATIVE PROCUREMENT METHODS

Mandated Sources/Preferred Sources - Mandated procurement sources shall be investigated when commodities and/or services offered by these sources are requested, regardless of the

dollar amount. These sources are referred to as New York State Preferred Sources. If the commodity or service is available in the form, function and utility as required by the County, then the purchase must be made from the mandated/preferred source.

State Contract - As an alternative to securing quotes or following the bid procedures identified herein, a department may purchase from a State Contract, with approval by the Purchasing Clerk and County Attorney, by submitting a requisition as directed herein. www.ogs.state.ny.us Purchases made by utilizing New York State Contracts may be done without the requirement of obtaining quotes or bids as New your State has already gone to bid for these items. In the event that any purchase is ruled not in the County's best interest or additional price comparisons are desired, the department(s) shall obtain quotes pursuant to quoting procedures as outlined in the Purchasing Policy and Procedures. This will ensure the County is obtaining the best possible price for the commodities required.

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

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

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

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

**Please contact the Purchasing Clerk for assistance

BLANKET PURCHASE ORDERS

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

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

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

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

§ 140-16.1 Purpose

2 CFR Part 200 (subparts A-F) "Uniform Administrative Requirements, Cost Principals and

Audit Requirements for Federal Awards requires organizations receiving federal awards to establish and maintain effective internal controls over federal awards.

§140-16.2 General Policy Statement

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

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

- A. The County will use its own documented procurement procedures which reflect applicable State, Local and Tribal laws and regulations; provided that the procurements conform to applicable federal law and Uniform Guidance. As such, County procurements related to Federal grants will be subject to New York State General Municipal Law, Wayne County Procurement Policy and Uniformed Guidance Requirements.
- B. Contract files will document the significant history of the procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis of contract price.
- C. The County will utilize one of the five acceptable procurement methodologies detailed in §200.320 which include:
 - Micro Purchase
 - Small Purchase Procedure
 - Sealed Bid
 - Competitive Proposal
 - Non-Competitive Proposal (Sole Source)
- D. Procurements will provide for full and open competition as set forth in the Uniform Guidance, or State and local procurement thresholds, whichever is most restrictive.
- E. No employee, officer or agent may participate in the selection, award or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents can neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. If the financial interest is not substantial or the gift is an unsolicited item of nominal value, no further action will be taken. However, disciplinary actions will be applied for violations of such standards otherwise.
- F. The County will avoid acquisition of unnecessary or duplicative items. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical procurement approach. The County will also analyze other means, as described in §200.318 of the Uniform Guidance, to ensure appropriate and economical acquisitions.
- G. The County will enter into state and local intergovernmental agreements or inter-entity agreements, where appropriate.
- H. The County will only utilize Time and Materials contracts when it has been determined, in writing, that no other contract type is suitable.
- I. Vendors/Contractors that develop or draft specifications, requirements, statements of work, or invitation to bids or requests for proposals must be excluded from competing for such procurements.
- J. The County will make available, upon request of the federal awarding agency or pass-through entity, technical specifications on proposed procurements where the federal awarding agency or pass-through entity believes such review is needed.
- K. County Departments are prohibited from contracting with or making sub awards under

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

- L. The County of Wayne will include a suspension/debarment clause in all written contracts in which the vendor/contractor will certify that it is not suspended or debarred. The contract will also contain language requiring the vendor/contractor to notify the County immediately upon becoming suspended or debarred. This will serve as adequate documentation as long as the contract remains in effect.
- M. County Departments will be required to notify the Purchasing Department and Board of Supervisors that federal funding will be used for a certain procurement/contract. When requesting a written contract, the County Department will be responsible for running the vendor/Contractor's name through the System for Award Management (SAM) to determine any exclusion. A copy of the SAM search will be included with the contract request. Prior to issuing a purchase order using federal funds, the Fiscal Assistant will check the SAM to determine if any exclusion exist for the Vendor/Contractor. If a vendor/contractor is found to be suspended or debarred, the County will immediately cease to do business with the vendor.
- N. The County will not use statutorily or administratively imposed state, local or tribal geographical preferences in the evaluation of bids or proposals; except in those cases where applicable federal statutes expressly mandate or encourage geographical preference.
- O. The County will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor area surplus area firms are used when possible.
- P. The County will procure recovered materials in compliance with §200.322.
- Q. The County will require appropriate bonding requirements as per §200.325.
- R. The County will only award contracts to Responsible Vendors and will document, in writing, such determination.
- S. County contracts will contain the applicable provisions described in Appendix II to Part 200 – Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.
- T. The County will maintain oversight to ensure that contractors perform in accordance with the contracts terms, conditions, and specifications.
- U. Copies of executed contracts will be maintained in MUNIS and Purchase Orders will be maintained in the MUNIS.

VIOLATIONS

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

This policy shall go into effect January 2, 2018 and will be reviewed periodically as circumstances warrant. If subsequent changes occur in New York State or Federal Law which are inconsistent with this Purchasing Policy, or if any part of this policy as adopted is in violation of state or federal law, state or federal law shall control the purchasing practices of the County of Wayne.

ATTACHMENTS

Schedule A and Schedule B

REFERENCES:

New York State General Municipal Law and County Law

ISSUED:

Richard House

Steven LeRoy

County Administrator

Chairman

Schedule A: Authorization Levels and Procedures:

Purchase of Materials, Supplies and Equipment and Public Works Contracts

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

Schedule B: Authorization Levels and Procedures:

Professional Services

Total purchase amount anticipated for the calendar year	
\$0-\$4,999	*Discretionary spending unless vendor on county property
\$5,000-\$19,999	* RFQ solicited and 3 quotes received (if possible)
	*Selected from Pre-Qualified list of firms currently on contract with the County
	*Vendor is selected by the Department Head and Purchasing after approval from the County Attorney
\$20,000 or more	*Department sends Purchasing the RFP specifications; Purchasing will then finalize RFP and get approval from the County Attorney then send to the Clerk of the Board for advertisement. *If the services are on a prequalified list the RFP only needs to be sent all vendors on the prequalified list at a minimum.

****A contract is required for all vendors who's employees/agents will be physically on the county property at any point during the contract. ****

Pursuant to Resolution 584-15**

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

Prior to adjournment, Chairman LeRoy announced that immediately following this Organizational Board Meeting, the newly assigned standing committees will begin to meet - starting with Human Services at 10:00 am, Health and Medical Services at 10:30 am, and Public Safety at 1 pm this afternoon.

ADJOURNMENT:

The next scheduled Board Meeting will be **Tuesday, January 16, 2018 at 9:00 a.m.**
On motion of Mr. Verkey and seconded by Mrs. Jacobs, the Board adjourned at 9:50 a.m.
Carried.

Sandra J. Sloane, Clerk, Wayne County Board of Supervisors
