

3<sup>rd</sup> Day  
Tuesday, February 19, 2019  
9:00 a.m.

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

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

Upon roll call, all Supervisors were present, except Supervisors Crane and Jacobs who were absent from today's session.

Chairman LeRoy announced that Mrs. Crane and Mrs. Jacobs were both attending New York State Association of Towns 2019 Annual Meeting and Training School in New York City County Administrator Richard House and County Attorney Daniel Connors were present.

**APPROVAL OF MINUTES:**

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

**COMMUNICATIONS:**

The Chairman requested a motion to waive the reading of the following communications received and to approve them as listed below:

Copies of the Sheriff's Office Cash Receipts Reports dated January 17, 2019 totaling \$ 13,082.14 was received.

A Notice of Public Hearing and financial assistance contemplated by the Wayne County Industrial Development Agency, dated for February 15, 2019 at 9:00 a.m. was held at the Macedon Town Hall, 32 Main Street, Macedon, NY for Solar Advocate Development LLC Project for an acquisition of property for approximately 20 acres located at 644 Route 31, in the Town of Macedon.

A copy of the January 24, 2019 Professional Advisory Committee Meeting Minutes were received and filed as per State requirements, after being accepted by the Wayne County Health and Medical Services Committee.

A copy of certified Resolution No. 45-2019 was received from the Orange County Legislature, entitled "Resolution calling for NYS Legislative Action to Classify as Controlled Substances certain Fentanyl 'Analogues' that are responsible for Opioid Overdose Deaths".

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments including the January 2019 warrants for accounts payable, totaling \$4,114,083.80 was received and filed.

Mrs. Pagano moved, seconded by Mr. Verkey. Motion carried.

**ANNUAL REPORTS:**

Wayne County Attorney  
Wayne County Clerk  
Wayne County Real Property Tax Services Agency  
Wayne County Weights and Measures  
Wayne Pre-Trial Services

Mr. Kolczynski moved, seconded by Mr. Miller that the annual reports be received and filed. Motion carried.

**PRIVILEGE OF THE FLOOR:**

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

There was no public comment for agenda items this morning.

Mr. Michael Bjerga, airport manager and Greg Arserio, the airport director of the Williamson-Sodus Airport addressed Board Members today requesting their endorsement for the purpose of making the project eligible for State funding.

The Williamson-Sodus Airport is a privately owned airport of the Williamson Flying Club, Inc., which allows public access. They have requested state funds through the Airport Improvement and Revitalization Grant program (AIR '99) for the construction of an 18 Bay T-Hanger to be constructed adjacent to the existing hanger facilities. The hanger will be equipped with solar panels to help offset the cost.

Prior to the presentation of the Human Services Committee resolutions, Mr. Verno moved, seconded by Mr. Chatfield that contract renewal resolutions for Resolution Nos. 7-8 (077-19), 7-9 (078-19), 7-11 (080-19) and 7/12 (081-19) be blocked and adopted under one vote. Motion carried.

**RESOLUTION NO. 070-19: AUTHORIZATION FOR THE DIRECTOR OF WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH TO SIGN A MEMO OF UNDERSTANDING WITH WAYNE COUNTY ACTION PROGRAM-(WCAP) TO COORDINATE THE WAYNE SENIOR TRANSPORTATION PROJECT AND MODIFY THE 2019 COUNTY BUDGET**

Mr. Verno presented the following:

WHEREAS, Wayne County Office for Aging and Youth has received funding from the Bullis Foundation to pilot a 2 year grant to provide seniors, 60 years and older, assisted transportation to medical appointments, in the amount of \$18,720; and

WHEREAS, the funds were projected to be fully expended in years 2017 and 2018, however, 2017 was the community planning phase with no expenditures and the actual funding for the implementation began in 2018; and

WHEREAS, the second year of funding in the amount of \$9,360 had been assigned to the 2018 county budget and these funds need to be transferred to the 2019 county budget to continue providing transportation services to complete the second phase of this grant; and

WHEREAS, the Department requires a Memorandum of Understanding (MOU) to partner with Wayne County Action Program to provide these medical transportation services through the Senior Retired Volunteer Program; and

WHEREAS, the terms of the MOU will remain the same as the 2018 MOU; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors hereby authorizes Penny Shockley-Bloomer to sign an MOU on behalf of the Department of Aging and Youth, subject to the County Attorney's approval as to form and content, with the Wayne County Action Program to administer the Wayne County Transportation Project. The funding required for this MOU will not exceed \$9,360 for the period January 1, 2019 through December 31, 2019; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following budget adjustments in the 2019 budget to accept and expend \$9,630 for year two of the Bullis grant funds:

A6772-Aging Budget

(Revenue)

\$9,630 to 41281 Aging Reimbursement

A6772- Aging

(Appropriation)

\$9,360 to 54520 Consultant

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

**RESOLUTION NO. 071-19: AUTHORIZATION TO EXECUTE 2019 CONTRACT WITH WAYNE COUNTY CHAPTER, NYSARC TO PROVIDE HOME DELIVERED MEALS TO THE HOMEBOUND ELDERLY FOR THE DEPARTMENT OF AGING AND YOUTH**

Mr. Verno presented the following:

WHEREAS, the Federal Older Americans Act and NY State Office for the Aging allocates Title III C-2 and Wellness in Nutrition (WIN) funding to provide home delivered meals to homebound elderly individuals who are nutritionally at risk; and

WHEREAS, the Department of Aging and Youth, through an RFP process, will contract with The Arc Wayne to provide these services and requests authorization to execute the initial contract effective January 1 through December 31, 2019, utilizing allocated state and federal funding at a rate of \$5.09 per meal for a total amount not to exceed \$243,780; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne County Chapter, NYSARC in the amount of \$243,780 for the period of January 1, 2019 through December 31, 2019.

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

**RESOLUTION NO. 072-19: AUTHORIZATION TO RENEW 2019 CONTRACT WITH WAYNE COUNTY CHAPTER, NYSARC (KEY INDUSTRIES) FOR BULK MEAL CATERING FOR CONGREGATE SENIOR CENTERS FOR THE DEPARTMENT OF AGING AND YOUTH**

Mr. Verno presented the following:

WHEREAS, the Department of Aging and Youth contracts with NYSARC (Key Industries) to provide bulk meal preparation for our five congregate Senior Centers; and

WHEREAS, the meal cost for 2019 was increased to \$4.26 per meal; and

WHEREAS, there are only 5 congregate meal sites for 2019; and

WHEREAS, the remaining terms and conditions of this contract remain the same as in 2018; now, therefore be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the ARC Wayne (Key Industries), for the period of January 1, 2019 through December 31, 2019 for bulk meal catering; and be it further

RESOLVED, the meal rate will be \$4.26 per meal and the maximum contract amount will not exceed \$72,000.

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

**RESOLUTION NO. 073-19: AUTHORIZATION TO EXECUTE 2019 CONTRACT WITH WAYNE PRE-TRIAL DIVERSION, SEXUALLY EXPLOITED YOUTH AND HOMELESS PROGRAM 2019 CONTRACT RENEWAL AND THE DEPARTMENT OF AGING AND YOUTH**

Mr. Verno presented the following:

WHEREAS, Wayne County Department of Aging and Youth contracts with Wayne Pre-Trial Services, Inc. to provide services for sexually exploited youth, homeless and court ordered diversion services to Wayne County youth, now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne Pre-Trial Services, Inc., for the operation of a Pre-Trial Diversion Program, Sexually Exploited Youth Program and a Homeless Youth Program for Wayne County Youth for the contract period January 1, 2019 through December 31, 2019, in an amount not to exceed \$106,644 to be derived from the following sources:

County Tax Revenues	\$71,715	
State Aid Reimbursement (to County)	13,173	(YDDP)
State Aid Reimbursement (to County)	18,856	(RHY-II)
State Aid Reimbursement (to County)	<u>\$2,900</u>	<u>(SEY)</u>
TOTAL	\$106,644	

and be it further

RESOLVED, that the County shall pay the contractor the sum of \$17,774 in January 2019 and the sum of \$8,887 in each of the months February-November 2019.

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

**RESOLUTION NO. 074-19: AUTHORIZATION TO EXECUTE 2019 CONTRACT WITH SENIORS AT HOME LLC FOR PROVISION OF HOMEMAKER/CHORE SERVICES AND THE DEPARTMENT OF AGING AND YOUTH**

Mr. Verno presented the following:

WHEREAS, the Wayne County Department of Aging and Youth receives funding from the NY State Office of Aging for the provision of homemaker/chore services for frail and elderly residents in Wayne County to assist them to remain in their homes; and

WHEREAS, The Department of Aging and Youth, through an RFP process, will contract with Seniors at Home LLC to provide these services and requests authorization to execute a contract effective January 1 through December 31, 2019, utilizing allocated state and federal funding at a rate of \$24.00 per hour for a total amount not to exceed \$43,403; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Seniors at Home LLC in accordance with the bid acceptance for the provision of homemaker/chore services for the Wayne County Department of Aging and Youth in the amount of \$24.00 per hour for a total not to exceed \$43,403 for the period of January 1, 2019 through December 31, 2019.

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

**RESOLUTION NO. 075-19: AUTHORIZE AGREEMENT WITH REGIONAL TRANSIT SERVICE/WAYNE AREA TRANSPORTATION SERVICES (RTS-WAYNE) FOR ON-DEMAND TRANSPORTATION FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, Wayne County is required to meet participation rates or face possible fiscal penalties as a consequence specified by the Federal Deficit Reduction Act of 2005 and New York State statute; and

WHEREAS, one of the major barriers to work/work readiness participation is the lack of transportation; and

WHEREAS, New York State has provided, through the Office of Temporary and Disability Assistance, Community Solutions to Transportation (CST) monies to counties in the past but now is not providing monies to Wayne County Department of Social Services (DSS); and

WHEREAS, RTS has been allocated CST monies by New York State in the past but is no longer receiving them; and

WHEREAS, Wayne DSS is able to use TANF funds to offset local costs for this service; and

WHEREAS, WATS may be able to use Job Access Reverse Commute (JARC) funds to offset local costs; and

WHEREAS, WATS has provided timely and effective service in the past; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into an agreement with the RTS/WAYNE, subject to review by the County Attorney, for the provision of on-demand services to Wayne DSS clients for an amount not to exceed \$241,200 for the time period 1/1/19 – 12/31/19.

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

**RESOLUTION NO. 076-19: AUTHORIZATION TO SIGN AGREEMENT WITH CHILD CARING INSTITUTION – CHILDREN’S HOME OF WYOMING CONFERENCE FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

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

WHEREAS, these child caring institutions, at times, need to be used as a Raise the Age placement facility; and

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

WHEREAS, the Wayne County Department of Social Services needs to have in place an agreement with various Raise the Age placement facilities to effectuate a child's placement on a timely basis; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Children’s Home of Wyoming Conference for the timeframe 10/1/18-9/30/21 subject to the County Attorney’s approval as to form and content for an amount not to exceed \$275,000.

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

**RESOLUTION NO. 077-19: AUTHORIZATION TO SIGN AMENDED AGREEMENT WITH CHILD CARING INSTITUTION – ST. ANNE INSTITUTE FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, Resolution No. 292-18 authorized an Agreement with the Child Caring Institution – Elmcree Children’s Center, for the period of 7/1/18-6/30/21; and

WHEREAS, the wording of such Agreements between local Departments of Social Services and Child Caring Institutions is dictated by the NY State Office of Children and Family Services (NYS OCFS); and

WHEREAS, the NYS OCFS notified the Wayne County Department of Social Services that the Agreements needed to be amended to reflect modifications required by the Federal Family First Prevention Services Act; and

WHEREAS, NYS OCFS has directed that this amended agreement language must be retroactive to the contract start date of 7/1/18, necessitating the use of this amended agreement language for the above agreement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an amended agreement with St. Anne Institute subject to the County Attorney’s approval for the timeframe 7/1/18-6/30/21.

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

**RESOLUTION NO. 078-19: AUTHORIZATION TO SIGN AMENDED AGREEMENT WITH CHILD CARING INSTITUTION – VILLA OF HOPE (ST. JOSEPH’S VILLA) FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, Resolution No. 399-18 authorized an Agreement with the Child Caring Institution – Villa of Hope (St. Joseph’s Villa), for the period of 7/1/18-6/30/21; and

WHEREAS, the wording of such Agreements between local Departments of Social Services and Child Caring Institutions is dictated by the NY State Office of Children and Family Services (NYS OCFS); and

WHEREAS, the NYS OCFS notified the Wayne County Department of Social Services that the Agreements needed to be amended to reflect modifications implementing Raise the Age legislation; and

WHEREAS, further modifications required by the Federal Family First Prevention Services Act are also needed; and

WHEREAS, NYS OCFS has directed that this amended agreement language must be retroactive to the contract start date of 7/1/18, necessitating the use of this amended agreement language for the above agreement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an amended agreement with Villa of Hope (St. Joseph's Villa) subject to the County Attorney's approval for the timeframe 7/1/18-6/30/21.

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

**RESOLUTION NO. 079-19: AUTHORIZATION TO SIGN AGREEMENT WITH CHILD CARING INSTITUTION – CHILDREN'S HOME OF POUGHKEEPSIE FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

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

WHEREAS, these child caring institutions, at times, need to be used as a Raise the Age placement facility; and

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

WHEREAS, the Wayne County Department of Social Services needs to have in place an agreement with various Raise the Age placement facilities to effectuate a child's placement on a timely basis; therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Children's Home of Poughkeepsie for the timeframe 10/1/18-9/30/21 subject to the County Attorney's approval as to form and content for an amount not to exceed \$275,000.

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

**RESOLUTION NO. 080-19: AUTHORIZATION TO SIGN AMENDED AGREEMENT WITH CHILD CARING INSTITUTION – THE WILLIAM GEORGE AGENCY FOR CHILDREN'S SERVICES, INC.**

Mr. Verno presented the following:

WHEREAS, Resolution No. 398-18 authorized an Agreement with the Child Caring Institution – The William George Agency for Children's Services, Inc., for the period of 7/1/18-6/30/21; and

WHEREAS, the wording of such Agreements between local Departments of Social Services and Child Caring Institutions is dictated by the NY State Office of Children and Family Services (NYS OCFS); and

WHEREAS, the NYS OCFS notified the Wayne County Department of Social Services that the Agreements needed to be amended to reflect modifications implementing Raise the Age legislation; and

WHEREAS, further modifications required by the Federal Family First Prevention Services Act are also needed; and

WHEREAS, NYS OCFS has directed that this amended agreement language must be retroactive to the contract start date of 7/1/18, necessitating the use of this amended agreement language for the above agreement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an amended agreement with The William George Agency for Children's Services, Inc. subject to the County Attorney's approval for the timeframe 7/1/18-6/30/21.

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

**RESOLUTION NO. 081-19: AUTHORIZATION TO SIGN AMENDED AGREEMENT WITH CHILD CARING INSTITUTION – PATHWAYS, INC. FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, Resolution No. 390-18 authorized an Agreement with the Child Caring Institution – Pathways, Inc., for the period of 3/1/18-6/30/19; and

WHEREAS, the wording of such Agreements between local Departments of Social Services and Child Caring Institutions is dictated by the NY State Office of Children and Family Services (NYS OCFS); and

WHEREAS, the NYS OCFS notified the Wayne County Department of Social Services that the Agreements needed to be amended to reflect modifications required by the Federal Family First Prevention Services Act; and

WHEREAS, NYS OCFS has directed that this amended agreement language must be retroactive to the contract start date of 3/1/18, necessitating the use of this amended agreement language for the above agreement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an amended agreement with Pathways, Inc. subject to the County Attorney's approval for the timeframe 3/1/18-6/30/19.

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

**RESOLUTION NO. 082-19: AUTHORIZATION FOR A CONTRACT WITH SELF-DIRECT, INC. FOR THE PROVISION OF A PERSONAL EMERGENCY RESPONSE SYSTEM (PERS) FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, Self-Direct, Inc. has provided Personal Emergency Response Services for the Department of Aging and Youth at the rate of \$17.50 per unit per month per participant; and

WHEREAS, Self-Direct, Inc. will be doing the same for the Wayne County Department of Social Services; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Self-Direct, Inc. in accordance with the bid acceptance for the installation of a minimum of 13 units and monitoring services for the Wayne County Department of Social Services in the amount of \$17.50 per unit per month, effective October 1, 2018 through December 31, 2019.

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

**RESOLUTION NO. 083-19: AUTHORIZATION TO SIGN AMENDED AGREEMENT WITH CHILD CARING INSTITUTION – ELMCREST CHILDREN'S CENTER FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, Resolution No. 288-18 authorized an Agreement with the Child Caring Institution – Elmcree Children's Center, for the period of 7/1/18-6/30/21; and

WHEREAS, the wording of such Agreements between local Departments of Social Services and Child Caring Institutions is dictated by the NY State Office of Children and Family Services (NYS OCFS); and

WHEREAS, the NYS OCFS notified the Wayne County Department of Social Services that the Agreements needed to be amended to reflect modifications required by the Federal Family First Prevention Services Act; and

WHEREAS, NYS OCFS has directed that this amended agreement language must be retroactive to the contract start date of 7/1/18, necessitating the use of this amended agreement language for the above agreement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an amended agreement with Elmcrest Children's Center subject to the County Attorney's approval for the timeframe 7/1/18-6/30/21.

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

**RESOLUTION NO. 084-19: AUTHORIZATION TO SIGN AGREEMENT WITH CHILD CARING INSTITUTION – THE HOUSE OF THE GOOD SHEPHERD FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

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

WHEREAS, these child caring institutions, at times, need to be used as a Raise the Age placement facility; and

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

WHEREAS, the Wayne County Department of Social Services needs to have in place an agreement with various Raise the Age placement facilities to effectuate a child's placement on a timely basis; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with The House of the Good Shepherd for the timeframe 10/1/18-9/30/21 subject to the County Attorney's approval as to form and content for an amount not to exceed \$275,000.

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

**RESOLUTION NO. 085-19: AUTHORIZE FOUR (4) MONTH EXTENSION OF YOUTH ADVOCACY PROGRAM CONTRACT AT THE DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, the Wayne County Department of Social Services has contracted with the Youth Advocacy Program for services designed to prevent placement of youth outside their homes; and

WHEREAS, the contract for this program ended on 12/31/18; and

WHEREAS, the Wayne County Department of Social Services (DSS) is desirous of continuing to have professional services continued past the expiration date of 12/31/18; and

WHEREAS, these services have yet to go through the formal bidding process and the needed bidding process was not concluded prior to 12/31/18; and

WHEREAS, it is anticipated that the solicitation, evaluation and award process will be completed for the contract by 4/30/19; and

WHEREAS, a four (4) month contract extension is needed to ensure that there is no break in the provision of service; now, therefore, be it

RESOLVED, that the present contract with Youth Advocacy Program is hereby extended from 12/31/18 to 4/30/19, subject to the County Attorney's review and approval.

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

**RESOLUTION NO. 086-19: AUTHORIZATION TO SIGN AGREEMENT WITH CHILD CARING INSTITUTION – GRAHAM-WINDHAM FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

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

WHEREAS, these child caring institutions, at times, need to be used as a Raise the Age placement facility; and

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

WHEREAS, the Wayne County Department of Social Services needs to have in place an agreement with various Raise the Age placement facilities to effectuate a child's placement on a timely basis; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Graham-Windham for the timeframe 10/1/18-9/30/21 subject to the County Attorney's approval as to form and content for an amount not to exceed \$275,000.

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

**RESOLUTION NO. 087-19: AUTHORIZE AGREEMENT WITH WAYNE ARC FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, disabled individuals have the right to direct their own care, if so desired; and

WHEREAS, Wayne ARC provides oversight services in the Wayne County area; now, therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to sign an Agreement with Wayne ARC subject to the approval of the County Attorney, for provision of the Consumer Directed Personal Assistance Program (CDPAP) for the timeframe 1/1/19-12/31/21.

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

**RESOLUTION NO. 088-19: AUTHORIZE CONTRACT WITH FAMILY COUNSELING SERVICE OF THE FINGER LAKES FOR THE PROVISION OF SEXUAL ABUSE ASSESSMENT AND TREATMENT SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, many children in Wayne County become victims of sexual abuse each year;

and

WHEREAS, these children need skilled professional assessment to accurately determine if abuse has occurred, and skilled professional treatment to successfully recover from this abuse and carry on productive lives in those cases where abuse has occurred; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract with Family Counseling Services of the Finger Lakes, subject to the approval of the County Attorney, for the provision of sexual abuse assessment and treatment services for an amount not to exceed \$115,293 for the period 1/1/19 – 12/31/19.

Mr. Deming moved the adoption of the resolution. Seconded by Mr. Verkey. Upon roll call, adopted.

**RESOLUTION NO. 089-19: AUTHORIZE CONTRACT WITH FAMILY COUNSELING SERVICE OF THE FINGER LAKES FOR THE PROVISION OF TRAUMA AND GENERAL COUNSELING SERVICES – TREATMENT SERVICES TO YOUTH/FAMILIES FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, the Wayne County Department of Social Services strives to keep families intact and children raised by their own parents/relatives; and

WHEREAS, many families at risk of having children placed outside the home have experienced high levels of trauma; and

WHEREAS, trauma-based counseling has been shown to reduce rates of out-of-home placements in at-risk families; and

WHEREAS, the Family Counseling Service of the Finger Lakes is certified to provide

such trauma-based counseling services; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract with Family Counseling Services of the Finger Lakes, subject to the approval of the County Attorney, for the provision of trauma and general counseling services for an amount not to exceed \$52,000 for the period 1/1/19 – 12/31/19.

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

**RESOLUTION NO. 090-19: AUTHORIZATION TO ACCEPT A THREE YEAR AWARD FROM NYS-OCFS IN THE AMOUNT OF \$350,000 TO BE USED TO ESTABLISH AN MDT/CAC IN WAYNE COUNTY FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, Wayne County has neither a Multi-Disciplinary Team (MDT), nor a Child Advocacy Center (CAC) within the County limits; and

WHEREAS, Wayne County is one of only 5 remaining counties in NY State that has not yet established an MDT/CAC; and

WHEREAS, NY State, through the Office of Children and Family Services (OCFS) is highly desirous of every NY State county having an MDT/CAC; and

WHEREAS, OCFS has committed up to \$150,000 in the first 12-month period and up to \$100,000 for each of the two following 12-month periods to establish an MDT/CAC in Wayne County and there is no local match required; now, therefore, be it

RESOLVED, that the Wayne County Department of Social Services is hereby authorized to accept such award to establish an MDT/CAC for 3 12-month periods to begin on 3/1/19 in Wayne County, provided that there is no requirement to use County monies in any of the three (3) years of State monetary support, or in any subsequent year; and be it further

RESOLVED, that should monies not be forthcoming from OCFS in a fourth (or any subsequent) year, the contract will terminate; and be it further

RESOLVED, that the Commissioner of the Department of Social Services or his designee is granted permission to sign any necessary paperwork for the acceptance of such award; and

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

A6010 Department of Social Services Administration

(Revenues)

\$150,000 to 43610 Social Services Administration (State)

(Appropriations)

\$150,000 to 54500 Fees for Services – Non-employed

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

**RESOLUTION NO. 091-19: AUTHORIZATION TO AMEND RESOLUTION NO. 016-18 FOR WAYNE AREA TRANSPORTATION SERVICES, INC. (RTS) FOR 2018 FOR VETERANS TRANSPORTATION SERVICES**

Mr. Verno presented the following:

WHEREAS, the Resolution No. 016-18 adopted in January 2018 authorized the Chairman of the Wayne County Board of Supervisors to execute a contract with Regional Transit Services (RTS) for medical transport services for the period 1/1/2018 – 12/31/2018; and

WHEREAS, the contract signed by the Chairman was for the two period 1/1/2018 – 12/31/2019; and

WHEREAS, it is desirable to amend the resolution to state the correct time period of the contract; now, therefore, be it

RESOLVED, that the language in the RESOLVED in Resolution No. 016-18 which reads:

“...from 1/1/18 – 12/31/18” is hereby amended to read:

“...from 1/1/18 – 12/31/19”.

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

**RESOLUTION NO. 092-19: AUTHORIZATION TO DISPOSE OF EQUIPMENT FOR WAYNE COUNTY PUBLIC HEALTH**

Mr. Baldrige presented the following:

WHEREAS, Wayne County Public Health's (WCPH) small Marvel Scientific 25 CAF immunization freezer will not maintain a temperature deemed necessary to maintain vaccine integrity; and

WHEREAS, the WCPH Vaccine for Children and Private Vaccine Management Plan requires the unit to be removed from use; and

WHEREAS, due to the age of the freezer, it was recommended to dispose of the unit; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to dispose of the Marvel Scientific 25 CAF Freezer, Model # 25CAF700, Serial # 20080502051G, as per the Wayne County Equipment Disposal Policy.

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

**RESOLUTION NO. 093-19: AUTHORIZATION TO SUBMIT PRE-K ANNUAL ADMINISTRATIVE COSTS INCURRED REPORT FOR WAYNE COUNTY PUBLIC HEALTH**

Mr. Baldrige presented the following:

WHEREAS, Section 4410 of the Education Law entitles counties to receive administrative cost reimbursement of seventy-five dollars per eligible preschool student with a disability or the total County Administrative cost (whichever is lower); and

WHEREAS, a Statement of County Administrative costs incurred Under Section 4410 of the Education Law, July 1, 2017 – June 30, 2018 must be submitted to the State Education Dept. Program Services Unit in order to receive such reimbursement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the Pre-K Program's completed Statement of Administrative Costs Incurred Report for submission to the State Education Dept. for reimbursement.

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

**RESOLUTION NO. 094-19: AUTHORIZATION TO ABOLISH THE QUALITY ASSURANCE COORDINATOR POSITION FOR WAYNE COUNTY PUBLIC HEALTH**

Mr. Baldrige presented the following:

WHEREAS, The Deputy Director of Wayne County Public Health (WCPH) retired on December 13, 2018; and

WHEREAS, the Director of Public Health promoted the Quality Assurance Coordinator to the Deputy Director position; and

WHEREAS, it was identified that the Deputy Director position could now perform most of the Quality Assurance Coordinator duties now that the Deputy Director position is no longer supervising a Public Health service delivery; and

WHEREAS, it has been decided to abolish the Quality Assurance Coordinator position; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to abolish the Quality Assurance Coordinator position within the Public Health Department.

Mr. Chatfield moved the adoption of the resolution. Seconded by Mrs. Pagano. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Crane and Jacobs. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 095-19: AUTHORIZATION TO CERTIFY AND SUBMIT THE 2019**

**PUBLIC HEALTH STATE AID APPLICATION FOR WAYNE COUNTY PUBLIC HEALTH**

Mr. Baldrige presented the following:

WHEREAS, the NYS Dept. of Health requires an annual State Aid Application be submitted based on the approved 2019 budget; and

WHEREAS, the application must be certified; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to certify the 2019 application; and be it further

RESOLVED, that the Public Health Director is hereby authorized and directed to submit the 2019 application for state approval.

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

**RESOLUTION NO. 096-19: AUTHORIZATION TO CONTRACT WITH RxCp SERVICES FOR PHARMACY CONSULTATION FOR WAYNE COUNTY PUBLIC HEALTH**

Mr. Baldrige presented the following:

WHEREAS, Wayne County Public Health (WCPH) performs a monthly Tuberculosis Article 28 clinics and therefore is required to handle medications; and

WHEREAS, 10 NYCRR, Section 752.5 requires an Article 28 clinic that do not have a pharmacy on site to consult with a qualified pharmacist to assist in the development of policies and procedures for providing medications and biologicals; and

WHEREAS, WCPH has identified a local pharmacy consulting group, RxCP Services, who is willing to perform these services; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract for the period of January 1, 2019 to December 31, 2019 with RxCP Services, 104 William St., Lyons, NY 14489, subject to the approval of the County Attorney as to form and content, subject to the pharmacists being in compliance with the County's insurance requirements, with the following established fees, a bi-annual policy and procedure review and Professional Advisory Committee attendance fee \$200, and \$75.00 per hour for any identified new service need, with a total amount not to exceed \$1,000.

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

**RESOLUTION NO. 097-19: AUTHORIZATION TO AMEND CONTRACT WITH ICIRCLE SERVICES OF THE FINGER LAKES, INC. FOR THE WAYNE COUNTY NURSING HOME**

Mr. Baldrige presented the following:

WHEREAS, Resolution No. 340-14 and 483-17 authorized Wayne County Nursing Home to contract with iCircle Services of the Finger Lakes, Inc. (iCircle) for the provision of Wayne County Nursing Home long term care and outpatient services for the members of iCircle Services of the Finger Lakes, Inc. Medicaid Managed Long Term Care Plans; and

WHEREAS, the Medicaid published benchmark rates that are paid to the Wayne County Nursing Home for long term care and outpatient services provided to members of Medicaid Managed Long Term Care Plans, are determined and posted by the New York State Department of Health; and

WHEREAS, that the Wayne County Nursing Home desires to amend the contract with iCircle's new lines of business to include mainstream Medicaid Managed Care; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home accept the Amendment to Agreement for Skilled Nursing Facility Services which becomes effective January 1, 2019 for the provision of new line of business including mainstream Medicaid Managed Care; subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 098-19: ADOPTION OF WAYNE COUNTY NEW POSITION AND EXISTING VACANCY REVIEW POLICY FOR 2019 (TABLED – 2/19/19)**

Mr. Chatfield presented the following:

WHEREAS, the Board of Supervisors is desirous of establishing stricter criteria for the establishment of new positions and the filling of existing vacant positions within the County workforce; and

WHEREAS, the Board of Supervisors feels that enacting such criteria for the creation of new positions and the filling of existing, vacant positions will result in a savings to Wayne County taxpayers; now, therefore, be it

RESOLVED, that the following Wayne County New Positions and Vacancy Policy is hereby adopted for 2019:

### **WAYNE COUNTY NEW POSITIONS AND VACANCY POLICY**

#### **I. PURPOSE**

The purpose of this policy is to establish stricter criteria by the Wayne County Board of Supervisors for the establishment of new positions and the filling of existing, vacant positions within Wayne County departments. The policy will help ensure that new positions within County departments are fully funded with other than County funds. The policy will also ensure that any existing vacant positions are absolutely necessary for efficient and effective operations of a County department, with the ultimate goal of savings to Wayne County taxpayers.

#### **II. APPLICABILITY**

This policy applies to all Wayne County department heads, elected officials and appointed officials.

#### **III. GENERAL PROVISIONS**

1. No new positions will be created during 2019 unless they are permanent fully funded with other than County funds. This provision may be overridden by the Board of Supervisors in critical situations.
2. Positions currently vacant or that become vacant during 2019 will be subject to at least a 90 day freeze.
3. If a department head believes that hiring for the position cannot be delayed, the department head may contact the County Administrator for approval for exemption from this policy. Only positions that meet one or more of the following criteria will be considered for exemption:
  - a. Positions that provide critical direct-care or services
  - b. Positions essential to revenue collection
  - c. Positions that are grant-funded and required to maintain compliance with the grant
  - d. Positions required to provide mandated services and if left unfilled would result in fines or other sanctions
  - e. Positions that if left unfilled would result in significant overtime costs for the specific department totaling more than if the positions were refilled
  - f. Supervisory positions that if left unfilled would create potential liability issues from employees not being adequately supervised
4. Temporary positions will not be created to refill the positions of those employees on extended leaves (disability, workers' compensation, FMLA and other leaves) unless one or more of the criteria in 3 above can be met. Military leaves may be exempt from this provision.
5. All approved requests for reclassification of a position must be funded through existing appropriations in the 2019 County budget.
6. The following information will be requested to refill any vacancy in 2019 and positions will be refilled subject to the County Administrator's review of this information:
  - a. Is this position absolutely necessary?

- b. When did the position become vacant?
  - c. Is the position required to meet direct care, public health and or public safety requirements? If so briefly describe.
  - d. How have the duties of the position been covered since the vacancy occurred? Can coverage continue in this manner?
  - e. Can the duties of the position be performed in some other manner? Technology? Other?
  - f. How long can the performance of the position's duties be deferred?
7. What is the impact of not filling the position? Is it more cost effective to fill the position than to provide coverage by some other means? Provide specific cost analysis.
8. This policy will expire December 31, 2019 unless renewed by the Board of Supervisors.

Mr. Spickerman moved, seconded by Mr. Kolczynski to TABLE the resolution. Motion carried.

**RESOLUTION NO. 099-19: AUTHORIZE APPOINTMENTS TO INTER-COUNTY ASSOCIATION OF WESTERN NEW YORK**

Mr. Chatfield presented the following:

RESOLVED, the Wayne County Board of Supervisors hereby approves the appointments of the following individuals to the Inter-County Association of Western New York for the term January 1, 2019, through December 31, 2019, as listed below:

- Steven LeRoy, Representative
- Ken Miller, Representative
- Laurie Crane, Representative
- Cassandra Pagano, Alternate

RESOLVED, that certified copies of this resolution be sent by the Clerk of this Board to the Association and the appointees.

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

**RESOLUTION NO. 100-19: REIMBURSEMENT TO GENERAL FUND FOR SELF-INSURANCE SPECIALIST SALARY**

Mr. Chatfield presented the following:

WHEREAS, the County of Wayne pays for the salary and benefits of one Self-Insurance Specialist out of the General Fund's A1430 cost center; and

WHEREAS, the Self-Insurance Specialist spends approximately 40% of their time completing Workers' Compensation related tasks; and

WHEREAS, the Workers' Compensation S Fund is responsible to pay for, through contractual expense, the Self-Insurance Specialist's salary and benefits for time worked on Workers' Compensation duties; now, therefore, be it

RESOLVED, that the Workers' Compensation S Fund will reimburse the General Fund each year through a single annual interfund transfer, 40% of the Self-Insurance Specialist's annual salary and benefits expense.

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

**RESOLUTION NO. 101-19: REQUESTING STATE MUNICIPAL HOME RULE LEGISLATION TO IMPOSE A HOTEL OR MOTEL OR SEASONAL RENTAL OCCUPANCY TAX FOR THE COUNTY OF WAYNE**

Mr. Chatfield presented the following:

WHEREAS, the County of Wayne presently does not have authority to enact a local law that would impose a hotel or motel or seasonal rental occupancy tax; and

WHEREAS, the proceeds of said tax would be used to promote the general welfare of the residents of Wayne County and fund county operations; and

WHEREAS, State Legislation will be necessary for the County to impose said tax; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby requests State Legislators, Senator Pamela Helming and Assemblyman Brian Manktelow to prepare a Municipal Home Rule Statute giving the County of Wayne authority to enact a hotel or motel or seasonal rental occupancy tax in the amount of 5% (five percent).

Mr. Spickerman moved the adoption of the resolution. Seconded by Mr. Verkey. Upon roll call, all Supervisors voted Aye, except Supervisors Deming and Baldrige who voted Nay. Absent – Supervisors Crane and Jacobs. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 102-19: AUTHORIZATION TO SIGN BOUNDARY LINE AGREEMENT – WILLIAM STREET**

Mr. Chatfield presented the following:

WHEREAS, the County of Wayne owns property located at 16 William Street, Lyons; and

WHEREAS, Scott A. Hughes and Terry M. Hughes own property located at 24-32 William Street, Lyons; and

WHEREAS, a survey was done by Greene Land Surveying dated December 27, 2018 (Job No. 18-4851) which survey map depicts the boundary line between the Hughes property and the County owned property at 16 William Street, and which shows that the southeast corner of the building owned by Hughes encroaches onto the lands owned by the County by 0.3 feet; and

WHEREAS, Scott A. Hughes and Terry M. Hughes are in the process of trying to sell this property located at 24-32 William Street, Lyons and would need the County to sign a boundary line agreement to resolve a legal title objection to the transfer of title to their property; and

WHEREAS, the Hughes' attorney has drafted a proposed boundary line agreement with the County of Wayne acknowledging the encroachment onto property owned by the County, a distance of 0.3 feet and relinquishing any claim to right, title or interest in the land lying beyond the property line; and

WHEREAS, it will serve the best interest of both the County and Scott and Terry Hughes to resolve this encroachment by the Hughes' owned structure onto County owned property a distance of 0.3 feet; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to sign said boundary line agreement, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 103-19: AUTHORIZATION TO MAKE APPOINTMENT TO CNY REGIONAL MARKET AUTHORITY**

Mr. Spickerman presented the following:

WHEREAS, Michael Madison no longer desires to be the Wayne County Representative on the CNY Regional Market Authority; and

WHEREAS, Jose Berenguer of Lake Bluff Honey Bee Farm, 6964 Lake Bluff Road, Wolcott has agreed to serve on the Authority as a County Representative; now, therefore, be it

RESOLVED, that Jose Berenguer be appointed as the Wayne County Representative to the CNY Regional Market; and be it further

RESOLVED, that a copy of this resolution be sent to Amanda Vitale, Market Administrator, CNY Market Authority, 2100 Park Street, Syracuse, NY 13208.

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

**RESOLUTION NO. 104-19: AUTHORIZATION TO ACCEPT RFP QUOTE FOR 2019 TRAVEL GUIDE PRINTING**

Mr. Spickerman presented the following:

WHEREAS, the Director of Tourism and Promotion distributed printing and specification guidelines to potential vendors for the printing of the 2019 Wayne County Travel Guide; and

WHEREAS, the following quotes were received and reviewed by the Wayne County Director of Tourism and Promotion and the Economic Development/Planning Committee Standing Committee of the Wayne County Board of Supervisors:

<b>Bidder</b>	<b>50,000 Units</b>	<b>60,000 Units</b>
Catamount Color, 89 Sand Hill Rd, PO Box 8329 Essex, VT 05451	\$20,965.00	\$23,480.00
Courier Printing Corporation, 24 Laurel Bank Ave, Deposit, NY 13754	\$20,687.00	\$23,544.00
Dual Print & Mail, 340 Nagel Drive Cheektowaga, NY 14425	\$14,918.54	\$17,328.47
Eastwood Litho, Inc, 4020 New Court Ave., Syracuse, NY 13206	\$19,031.00	\$22,362.00
Freeport Press, 2127 Reiser Ave., SE, New Philadelphia, OH 44663	\$20,757.17	\$23,933.72
Phoenix Graphics Inc, 1525 Emerson St. Rochester NY 14606	\$18,339.00	\$21,447.00
PrintRoc, 620 South Ave., Rochester, NY 14620	\$16,740.00	\$19,650.00

now, therefore, be it

RESOLVED, that the quote submitted by **Dual Print & Mail**, for **60,000** units in accordance with the specifications at a price of \$17, 328.47 in accordance with the specifications, is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Dual Print & Mail in accordance with the bid acceptance.

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

**RESOLUTION NO. 105-19: RESOLUTION APPOINTING FAIR HOUSING OFFICER - THOMAS LYON**

Mr. Spickerman presented the following:

WHEREAS, Wayne County often applies for funding from the New York State Office of Community Renewal ("OCR") Community Development Block Grant ("CDBG") program; and

WHEREAS, OCR requires grant recipients to comply with Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Fair Housing Amendments Act of 1988 and the Human Rights Law (Executive Law, Article 15) of the State of New York as well as Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u); and

WHEREAS, OCR also requires grant recipients to appoint a Fair Housing Officer and a Section 3 Officer to affirmatively advance these Federal goals for qualifying projects within the County; and

WHEREAS, Legal Assistance of Western New York, Inc. Fair Housing Enforcement Project has been funded by US Department of Housing and Urban Development since 1998 to investigate housing discrimination complaints in our region including Wayne County and will accept referrals for investigation; now therefore be it

RESOLVED, that the Board of Supervisors hereby designates Thomas Lyon as Wayne County Fair Housing Officer and Section 3 Officer for a term to expire on December 31, 2019.

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

**RESOLUTION NO. 106-19: RESOLUTION APPROVING THE OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY (BLANKET) BOND FOR THE GENESEE/FINGER LAKES**

**REGIONAL PLANNING COUNCIL**

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne has appropriated the sum of \$9,970 as its share of the year 2019 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

WHEREAS, pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated David S. Zorn, Executive Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000.00; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law.

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

**RESOLUTION NO. 107-19: RESOLUTION AUTHORIZING INCREASE IN ECONOMIC DEVELOPMENT AND PLANNING TRAVEL BUDGET**

Mr. Spickerman presented the following:

WHEREAS, the County funds travel expenses related to County Planning Board members travel to meetings and site visits necessary to carry out substantial review of projects presented to the County Planning Board; and

WHEREAS, the Economic Development and Planning Department pays these expenses with funds appropriated in the annual budget; and

WHEREAS, Appropriations included in the 2019 budget were sufficient to cover expenses for Planning Department employees, but did not include adequate appropriations to reimburse Planning Board members; now, therefore, be it

RESOLVED, that the County Treasurer hereby is authorized to amend the county budget as follows:

A1990 Contingency Fund General

(Appropriations)

\$5,000 from 54000 Contractual Expenses

A8020 Planning and Economic Development

(Appropriations)

\$5,000 to 54919 Mileage Reimbursement

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

**RESOLUTION NO. 108-19: AUTHORIZING 2019 CONTRACT FOR SERVICES WITH WAYNE COUNTY IDA**

Mr. Spickerman presented the following:

WHEREAS, the amount of \$265,686 was appropriated in the A63261 Personnel Services and Benefits lines of the 2019 Adopted County Budget for administrative labor support for the Wayne County Industrial Development Agency ("IDA"); and

WHEREAS, the amount of \$135,000 was appropriated in line A63264.54400 for marketing, the Business Retention and Expansion program, partnerships, and other necessary marketing efforts; and

WHEREAS, the amount of \$165,000 was appropriated in line A63264.54891 for special studies and projects for Economic Development; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign an agreement, subject to the County Attorney's approval as to form and content, with the Wayne County IDA for the provision of administrative labor support of \$265,686, plus any additional County Board approved post Adopted Budget adjustments for the same being allocated to the WC-IDA; and be it further

RESOLVED, that the Chairman of the Board is authorized to sign an agreement, subject to the County Attorney's approval as to form and content, with the Wayne County IDA providing for the payment of \$135,000 for the marketing, BRE, and partnership programs and contracts in equal quarterly disbursements of \$33,750.00; and be it further

RESOLVED, that the Chairman of the Board is authorized to sign an agreement, subject to the County Attorney's approval as to form and content, with the Wayne County IDA providing for the disbursement of up to \$165,000 for special studies and special projects related to Economic Development and providing for payments on a project-by-project basis subject to the joint approval of the Economic Development and Planning Director/ IDA Executive Director and the Wayne County Fiscal Assistant in advance of the project or study being undertaken and requiring the Agency to file a verified account of the disbursements of such funds.

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

**RESOLUTION NO. 109-19: RESOLUTION AUTHORIZING TRANSFER OF CDBG FUNDS TO THE WAYNE COUNTY REGIONAL LAND BANK**

Mr. Spickerman presented the following:

WHEREAS, the County has capitalized several loan funds, being administered by the Wayne Economic Development Corporation, over several years through the NYS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, and

WHEREAS, the Wayne County Industrial Development Agency has a total Small Cities CDBG cash fund balance of \$752,956 that WCIDA is administering on behalf of the County; and

WHEREAS, the NYS Office of Community renewal has initiated a recall of all uncommitted CDBG funds by March 31<sup>st</sup>, 2019; and

WHEREAS, the County has identified a project meeting the goals of the NYS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM by the elimination of conditions which are detrimental to health, safety and public welfare, through code enforcement, demolition, interim rehabilitation assistance and related activities; and

WHEREAS, the County has an interest in utilizing the Wayne County Regional Land Bank Corporation to apply funds to addressing CDBG program objectives, involving demolition of 48 Broad Street in the Town of Lyons and 42 Elmer Street in the Town of Lyons, which each represent a serious risk to the health and safety of the surrounding residents; now, therefore, be it

RESOLVED, Wayne County hereby commits \$747,712 of funds to the Wayne County Regional Land Bank Corporation, and directs the WCIDA to direct funds to the Land Bank, to be expended as follows:

\$752,956	Cash Funds Balance
\$523,000	Commercial Demolition
\$49,180	Below Grade Demo
\$40,000	Residential Demolition
\$135,532	Administration and Delivery
\$747,712	Commitment of Funds

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

**RESOLUTION NO. 110-19: RESOLUTION AUTHORIZING TO TRANSFER BALANCES OF FUNDS AT THE END OF 2018 IN THE INDUSTRIAL DEVELOPMENT PROGRAM TO BE APPROPRIATED IN 2019**

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne funds an Industrial Site Development Fund which cross several fiscal years; and

WHEREAS, these funds are utilized to advance Economic Development projects involving development of public infrastructure; and

WHEREAS, funds that were identified for Industrial Site Development but were not expended in 2018 need to be added to the 2019 County Budget; and

WHEREAS, the County has been contributing to the fund utilizing unspent funds from the Economic Development and Planning Department Other Direct Expenses budget for County funding for special studies and special projects; and

WHEREAS, the County has a desire to cap overall contributions to the Industrial Site Fund at \$1,000,000; and

WHEREAS, in order to make contributions appropriate for site development the total cap on individual project contributions is recommended to be changed from \$100,000 to \$300,000; and

WHEREAS, the County closed these accounts out to fund balance at the end of 2018; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$1,000,000 in funds from the Unappropriated General Fund Balance as follows:

A6326 Economic Development Administration  
(Appropriations)

\$1,000,000 to 54553 Industrial Site Development Program

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

Prior to the presentation of the resolutions for the next committee, Mr. Miller requested that the Superintendent of Public Works Department inspect and possibly repair the defective gavel Chairman LeRoy was using today.

**RESOLUTION NO. 111-19: AUTHORIZATION TO ACCEPT LOW BID FOR THE ARCADIA ZURICH BRIDGE REPLACEMENT PROJECT**

Mr. Miller presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the Arcadia Zurich bridge replacement project for the Highway Department and the bids were opened on Tuesday, January 29, 2019 at 10:00 a.m. and the following bids were received:

Ramsey Constructors	1,949,649.00
Vector Construction	1,920,561.00
Economy Paving Co. Inc.	1,719,091.70
Crane-Hogan Structural Systems, Inc	1,899,836.50
Sealand Constructors Corp	2,085,000.00
Slate Hill Constructors, Inc	1,889,077.50
CP Ward, Inc	1,953,529.00
WD Malone	2,399,690.21

RESOLVED, that the bid submitted by Economy Paving Co., Inc. in the amount of \$1,719,091.70, in accordance with specifications, is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Economy Paving Co., Inc. in accordance with the bid acceptance.

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

**RESOLUTION NO. 112-19: AUTHORIZATION TO EXTEND CONTRACT FOR REFUSE**

**DISPOSAL AND RECYCLING WITH CASELLA WASTE MANAGEMENT FOR ALL COUNTY OFFICE BUILDINGS AND PARKS**

Mr. Miller presented the following:

WHEREAS, pursuant to Resolution No 283-15 the Wayne County Board of Supervisors entered into a contract with Casella Waste Management for refuse disposal for all County office buildings and Parks; and

WHEREAS, the contract included three (3) one-year renewals; and

WHEREAS, the current renewal will expire April 30, 2019; and

WHEREAS, the original bid states a 3 percent (3%) increase from the previous year for the fifth and final year of service; and

WHEREAS, the Superintendent of Public Works has been satisfied with the service; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to extend the agreement for one additional year with Casella Waste Management, subject to the County Attorney's review, for provision of Refuse Disposal from May 1, 2019 to April 30, 2020 at a cost not to exceed \$34,200.

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

**RESOLUTION NO. 113-19: ACCEPT BIDS FOR HIGHWAY CONSTRUCTION AND MAINTENANCE MATERIALS**

Mr. Miller presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for various highway construction and maintenance materials for 2019; now, therefore, be it

RESOLVED, that upon the recommendation of the Superintendent of Public Works, the bids listed in the attached Bid Summary Booklet dated February 2019, a copy of which has been filed with the Clerk of the Board of Supervisors, are hereby accepted; and be it further

RESOLVED, that the low bid amounts for each item should be utilized unless there is appropriate reason to purchase differently as described in the bid book; and be it further

RESOLVED, that the bids listed be good for 1 year from the date of award; and be it further

RESOLVED, that any municipal highway department may purchase materials directly from the vendors pursuant to such bids, provided that the municipality shall accept sole responsibility for any payments due the vendor and for audit and inspection of the materials; and be it further

RESOLVED, that any bid not listed in the Bid Summary Booklet is hereby rejected.

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

**RESOLUTION NO. 114-19: AUTHORIZATION TO TRANSFER A VEHICLE AND DISPOSE OF SURPLUS COUNTY VEHICLES**

Mr. Miller presented the following:

WHEREAS, the Central Garage Department has a vehicle (2009 Ford Crown Vic) that is no longer of need by the Sheriff's Office; and

WHEREAS, this vehicle (2009 Ford Crown Vic) is in better condition than a 2007 Ford Crown Vic currently used by the Highway department; and

WHEREAS, it is suggested that the following transfer occur between departments:

2009 Ford Crown Vic                   VIN 2FAHP71V59X139899    from SO to HWY

2007 Ford Crown Vic                   VIN 2FAFP71W17X154378    from HWY to Auction

WHEREAS, the Superintendent of Public Works has determined that the following vehicles should be declared surplus and disposed of as noted:

VEHICLE/ITEM		DISPOSAL
2005 Chevrolet Express Van	VIN 1GAGG25U351239022 (MH)	Auction
2009 Chevrolet Impala	VIN 2G1WB57N191225900 (CAAdmin)	Auction

2009 Ford Focus	VIN 1FAHP34N59W222880 (PH)	Auction
2010 Chevrolet Impala	VIN 2G1WA5EN6A1201733 (PH)	Auction
2010 Chevrolet Impala	VIN 2G1WA5ENXA1201332 (PH)	Auction

now, therefore, be it

RESOLVED, that the item listed above be transferred or sold at an upcoming public auction, Municipal online auction or sold to another Municipality in accordance with the County's Equipment Disposition policy.

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

**RESOLUTION NO. 115-19: AUTHORIZATION TO AMEND 2019 HIGHWAY BUDGET FOR TRAINING EXPENSES**

Mr. Miller presented the following:

WHEREAS, the Highway Department has a need to train field staff in several areas including bucket truck/lift operation, powered fork lift operation, and certified excavator operator training; and

WHEREAS, these trainings allow staff to stay in compliance with regulations and also provide an improved safety awareness; and

WHEREAS, the 2019 Highway budget did not include funds for this level of training; now, therefore be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$6,000 from the Unassigned D Fund Balance; and, be it further

RESOLVED, that the Treasurer is authorized to make the following budget adjustments in the 2019 Highway budget:

D5110 Maintenance of Roads and Bridges

(Appropriations)

\$6,000 to .54483 Training-Seminars and Schools

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

**RESOLUTION NO. 116-19: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH THE NYSDOT FOR FINAL DESIGN PHASE FUNDING OF THE RIDGE ROAD BRIDGE REPLACEMENT PROJECT**

Mr. Miller presented the following:

WHEREAS, the detailed design of the Ridge Road bridge project has now been authorized; and

WHEREAS, a supplemental agreement is required between Wayne County and the NYSDOT to get reimbursed for this detailed design phase of the project; and

WHEREAS, the NYS Highway law authorizes the Commissioner of Transportation to use Federal aid available under the Federal aid highway acts and provides for the consent to and approval by the Municipality/Sponsor of any such project under the Federal aid highway program which is not on the State highway system before such Project is commenced; and

WHEREAS, the County of Wayne desires to advance the Project by making a commitment of 100% of the non-federal and State Marchiselli Shares of the costs of \$3750 (5%); now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the County of Wayne to pay the first instance 100% of the federal and non-federal share of the cost of design work for the project or portions thereof; and be it further

RESOLVED, that the Chairman of the Wayne county Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the New York State for the Ridge Road bridge replacement project (PIN 4WA0.01); and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$3750 from the Unassigned D Fund Balance; and be it further

RESOLVED that the Wayne County Treasurer is authorized to make the following adjustments to the 2019 Budget:

**D9999 – OTHER:**

(Revenue)

\$60,000 to .44511 Marchiselli Funds - Federal (80%)

\$11,250, to .43511 Marchiselli Aid - State (15%)

**D5112 – ROAD CONSTRUCTION:**

(Appropriations)

\$75,000 to .52951 Ridge Road Bridge Project

Mr. Verkey moved the adoption of the resolution. Seconded by Mr. Deming. Upon roll call, adopted.

**RESOLUTION NO. 117-19: AUTHORIZATION TO ROLL OVER 2018 PROJECT FUNDS IN THE HIGHWAY DEPARTMENT**

Mr. Miller presented the following:

WHEREAS, each year the Superintendent of Public Works distributes CHIPS project reimbursement funds into specific project accounts; and

WHEREAS, some projects continue to the following calendar year; and

WHEREAS, the projects listed below will continue in 2019 and have the associated balances still available, and need to be re-appropriated in the 2019 budget; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to transfer \$10,840.49 from the D Fund Balance; and, further be it

RESOLVED, that the County Treasurer is authorized to amend the 2019 budget as follows to carry the available 2018 project balance budgets and reimbursement revenues forward:

**D5112 Road Construction**

(Project Appropriations)

CHIPS

52600	Highway Construction	126,209.64
52626	S Main St Project	1,000.00
52633	Vienna Rd Recycle Project	27,572.14
52634	Pultneyville Hamlet Project	16,106.86
52636	Ridge Rd Recycle Project	161,169.88
52638	Chips-Equipment	1,000.00
52646	County House Rd Project	211,543.39
52647	Mill St. Project	250,000.00
52654	Joy Rd Project	49,832.50
52669	E. Port Bay Retaining Wall Proj	1,000.00
52900	Bridge Construction	39,619.41
52948	Woods Rd Bridge Project	72,065.68

Federal/State/Local

52923	Arcadia Zurich Bridge Project	183,406.87
52951	Ridge Road Bridge (Sodus)	33,403.03

**D9999 Other Revenue**

(Reimbursement Revenues)

43501	Consolidated Highway Aid	957,119.50
43511	State Aid – Marchiselli Funds	32,521.49
44511	Federal Aid – Marchiselli Funds	173,447.92

Mr. Emmel moved the adoption of the resolution. Seconded by Mrs. Pagano. Upon roll

call, adopted.

**RESOLUTION NO. 118-19: AUTHORIZATION TO RENEW CONTRACT WITH MENTIS LANDSCAPING TO PERFORM MOWING IN COUNTY PARKS FOR THE 2019 SEASON**

Mr. Miller presented the following:

WHEREAS, Resolution No. 106-18 authorized an agreement between Wayne County and Mentis Landscaping for lawn care services for the 7 County Parks located along the Route 31 corridor; and

WHEREAS, the original agreement expired in October 30, 2018; and

WHEREAS, the agreement allows for two (2) one-year extensions with a 1% increase in cost for the 2<sup>nd</sup> year of service; and

WHEREAS, the Superintendent of Public Works has been satisfied with the overall level of service provided; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to renew a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Mentis Landscaping for lawn care services in 7 County Parks for one additional year at a cost not to exceed \$25,250.00.

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

**RESOLUTION NO. 119-19: AUTHORIZATION TO CREATE PROJECTS IN THE HIGHWAY DEPARTMENT**

Mr. Miller presented the following:

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

19-03	Surface Treating Project	\$250,000
19-04	Fifth Road Project	\$320,000
19-05	Maple Avenue Culvert Replacement Project	\$90,000

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

18-33	Vienna Road Project	\$390,000
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now, therefore, be it

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

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

\$1,050,000 from D51122.52600	Highway Construction
\$250,000 to D51122.52603	Surface Treating Project
\$320,000 to D51122.52604	Fifth Road Project
\$90,000 to D51122.52605	Maple Avenue Culvert Replacement Project
\$390,000 to D51122.52633	Vienna Road Project

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

**RESOLUTION NO. 120-19: AUTHORIZATION TO RENEW CONTRACT WITH ABM JANITORIAL SERVICES NORTHEAST, INC. FOR JANITORIAL SERVICES AT THE HALL OF JUSTICE**

Mr. Miller presented the following:

WHEREAS, Resolution No. 120-17 authorized a two year agreement with ABM Janitorial Services NorthEast, Inc. for janitorial and custodial services at the Wayne County Hall of Justice Building located in Lyons; and

WHEREAS, the current agreement will expire on February 28<sup>th</sup>, 2019; and

WHEREAS, the original agreement allows for a total of three one year renewals; and

WHEREAS, the original agreement listed a 3% increase for the third year of service; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to renew the current contract with ABM Janitorial Services Northeast, Inc, subject to the County Attorney's review, for janitorial and custodial services for the Wayne County Hall of Justice Building for one additional year for the total annual cost of \$36,560.88.

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

**RESOLUTION NO. 121-19: AUTHORIZATION TO RENEW AGREEMENT WITH FM GENERATOR INC. FOR GENERATOR MAINTENANCE SERVICES**

Mr. Miller presented the following:

WHEREAS, Resolution No. 126-17 authorized an agreement with FM Generator, Inc for bi-annual emergency generator maintenance services at numerous County facilities; and

WHEREAS, the current agreement will expire on February 28, 2019; and

WHEREAS, the agreement allowed for three 1-year extensions; and

WHEREAS, the agreement stated a 0% increase for third year of service; and

WHEREAS, the Superintendent of Public Works has been satisfied with the performance of said contractor; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to renew the contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with FM Generator, Inc for one additional year at a cost not to exceed \$6,470.00.

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

**RESOLUTION NO. 122-19: AUTHORIZATION TO OBTAIN PERMANENT EASEMENTS FOR HIGHWAY PROJECT**

Mr. Miller presented the following:

WHEREAS, the Highway Department has a need to obtain permanent easements for a drainage project in Ontario where work will extend beyond the right-of-way; and

WHEREAS, staff from the Highway Department have met with the adjacent landowners and have developed maps and descriptions to be filed with the County Clerk's office; and

WHEREAS, the list below identifies the property owner that will require easements:

1. Union Hill Apartments, LLC. 61117-09-020548, Ridge Road Ontario
2. Dendy, LLC. 61117-00-061568, Ridge Road Ontario
3. Lucinda Boyd 61117-09-066547, Ridge Road Ontario
4. Peter J. Bogino 61117-09-035512, Ridge Road Ontario
5. Bruce L. Vande 60117-00-982447, Ridge Road Ontario

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign permanent easement documents, subject to the review and approval of the County Attorney.

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

**RESOLUTION NO. 123-19: AUTHORIZATION TO CREATE A PART TIME SENIOR ENGINEERING TECHNICIAN POSITION IN THE HIGHWAY DEPARTMENT**

Mr. Miller presented the following:

WHEREAS, the Superintendent of Public Works has been notified of the retirement of a staff member the currently holds the position of Senior Engineering Technician; and

WHEREAS, there is only one like position in the department; and

WHEREAS, the retiring person is willing to continue to work on a part-time basis at the starting rate and without benefits until a suitable candidate has been found; and

WHEREAS, the Superintendent of Public Works is willing to allow this part-time work on

a temporary basis; and

WHEREAS, this new part-time position will not increase the cost to the department; now, therefore be it

RESOLVED, that the Superintendent of Public Works is authorized to create a Senior Engineering Technician-Part Time position in the Highway department; and be it further

RESOLVED, that the Senior Engineering Technician –Part Time will be paid for with funds from the vacated Senior Engineering Technician position.

Mr. Verno moved the adoption of the resolution. Seconded by Mr. Deming. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Crane and Jacobs. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 124-19: AUTHORIZATION TO RENEW AGREEMENT WITH ORKIN FOR PEST CONTROL SERVICES**

Mr. Miller presented the following:

WHEREAS, Resolution No. 206-15 authorized an agreement with Orkin Pest Control for pest control services in numerous County facilities; and

WHEREAS, the current agreement will expire on March 31, 2019; and

WHEREAS, the agreement allowed for three 1-year extensions; and

WHEREAS, the agreement stated a 3% increase for fifth and final year of service; and

WHEREAS, the Superintendent of Public Works has been satisfied with the performance of said contractor; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to renew the contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Orkin Pest Control for one additional year at a cost of \$7,162.

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

**RESOLUTION NO. 125-19: AUTHORIZATION TO EXECUTE AGREEMENT WITH CORPORATE FLOORS U.S.A., INC FOR THE REPLACEMENT OF LOBBY FLOORING AT THE HEALTH SERVICES BUILDING**

Mr. Miller presented the following:

WHEREAS, the 2019 Buildings & Grounds Budget included funds for the replacement of the vinyl flooring in the Health Services Building main lobby and 1<sup>st</sup> floor elevator hallway; and

WHEREAS, the Deputy Superintendent of Public Works has received a proposal from Corporate Floors U.S.A, Inc. under the NYS OGS Contract # PC6779 for the materials and labor to replace of the flooring at a cost of \$15,804.00; and

WHEREAS, the cost estimate is \$2,804 over the budget and the Deputy Superintendent has identified saving from other budgeted projects to cover the difference in costs; and

WHEREAS, Corporate Floors has performed work for the County in the past and has done satisfactory work; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Corporate Floors U.S.A, Inc for the amount of \$15,804.00.

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

**RESOLUTION NO. 126-19: AUTHORIZATION TO ACCEPT BID AND AWARD CONTRACT FOR THE FIRE TRAINING CENTER BUILDING ADDITION AND AMEND BUDGET PROJECT**

Mr. Miller presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bid for the Fire Training Center Building addition; and

WHEREAS, the following bids were received at 2 pm on Tuesday January 15, 2019 and publicly opened:

No.1 GENERAL  
CONSTRUCTION

	Base Bid	Alt #1 Roof Insulation	Alt #2 Wall Insulation	Alt#3- Match Split Face Block
Springer Construction	\$239,800.00	\$5,400.00	\$5,525.00	\$2,880.00
Secor Building Solutions	\$193,404.56	\$12,242.55	\$9,702.33	\$4,600.00
Chrisanntha Construction	\$157,570.00	\$3,200.00	\$2,800.00	\$3,500.00
Lakeside Roofing & Contg.	\$98,000.00	\$2,500.00	\$3,800.00	\$4,175.00

WHEREAS, the County Attorney's Office and the County Purchasing Clerk have reviewed the low bid for conformity and have noted that Lakeside Roofing & Contracting did not submit the required executed documents and does not meet the County insurance requirements in the bid specifications and it has been determined that Lakeside Roofing & Contracting bid is nonconforming with the specifications and shall be rejected; and

WHEREAS, the bids have come in over the budgeted project cost of \$140,000.00; and  
WHEREAS, it was intended that County staff would perform the sitework and electrical work in house; and

WHEREAS, the Deputy Superintendent has estimated a cost of \$20,000.00 for said site and electrical work; and

WHEREAS, the Deputy Superintendent of Public Works would also recommend due to the minor cost increase and the potential future County benefit that the County should accept bid Alternatives #1, and #2; and

WHEREAS, the total project construction cost with Alt. #1, Alt. #2 and sitework is \$183,570.00; now, therefore, be it

RESOLVED, that the bid received by Lakeside Roofing & Contracting is hereby rejected due to nonconforming to the specifications; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the project contracts on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Chrisanntha Construction for a cost of \$163,570; and be it further

RESOLVED, that the Wayne County Treasurer is authorized to transfer \$43,570.00 from the General Fund Unassigned Fund Balance; and be it further

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

**A1615 Buildings & Grounds**

(Appropriations)

\$43,570 to 52000 Equipment & Other Cap

Mr. Verno moved the adoption of the resolution. Seconded by Mr. Verkey. Upon roll call, adopted.

**RESOLUTION NO. 127-19: AUTHORIZATION TO ABOLISH POSITIONS IN THE BUILDINGS AND GROUNDS DEPARTMENT AND CREATE NEW POSITIONS**

Mr. Miller presented the following:

WHEREAS, in 2012 the Public Works Department was created, bringing together the Highway and Buildings & Grounds departments; and

WHEREAS, it has been the goal of the Superintendent of Public Works and the Deputy Superintendent to realign the staffing within the department for better utilization and uniformity across both sides of the department and better reflect the job responsibilities within the department; and

WHEREAS, with a retirement in late 2017 and one in 2018 has allowed for Superintendent to begin re-organization of the Buildings & Grounds Staff; and

WHEREAS, the Human Resource Department submitted a request to the Civil Service Commission in April 2018 requesting that the Title of Senior Building Maintenance Mechanic be added to the Non-Competitive Class; and

WHEREAS, at the January 2019 meeting of the Civil Service Commission this request was finally approved; and

WHEREAS, the 2019 Buildings and Grounds operating budget with anticipation of this approval included the proposed changes in the department staff positions; and

WHEREAS, these changes will not add any additional staff to the department; and

WHEREAS, the Superintendent of Public Work has reviewed the needs of the department and recommends one (1) Building Maintenance Mechanic and one (1) Public Works Technicians be abolished and two (2) Senior Building Maintenance Mechanic positions be created; now, therefore be it

RESOLVED that one (1) Building Maintenance Mechanic and one (1) Public Works Technicians within the Buildings & Grounds Department is hereby abolished effective February 20<sup>th</sup>, 2019, and be it further

RESOLVED that two (2) position of Senior Building Maintenance Mechanic within the Building & Grounds department is hereby created effective February 20, 2019, and be it further

RESOLVED, that the Superintendent of Public Works is authorized to fill the two (2) Senior Building Maintenance Mechanic positions.

Mrs. Pagano moved the adoption of the resolution. Seconded by Mr. Emmel. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Crane and Jacobs. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 128-19: AUTHORIZATION TO PREPARE A SUPPLEMENTAL AGREEMENT WITH CLOUGH HARBOUR ASSOCIATES (CHA) FOR THE CONSTRUCTION PHASE OF THE ARCADIA ZURICH ROAD BRIDGE PROJECT IN ARCADIA**

Mr. Miller presented the following:

WHEREAS, this project (PIN 476069) is federally funded and included on the current Transportation Improvement Plan; and

WHEREAS, the project shares will be 80% federal and 20% Local funds, but the project may receive State Marchiselli funds (15%) which will make the Local share only 5%; and

WHEREAS, the project has been bid and is ready to start the construction phase; and

WHEREAS, CHA has proposed a fee of \$298,500, which has been approved by the NYSDOT, for the construction inspection and administration services; and now, therefore, be it  
RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with CHA for the design services associated with the rehabilitation of the Arcadia-Zurich Road Bridge over the Ganargua Creek in the Town of Arcadia.

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

**RESOLUTION NO. 129-19: AUTHORIZATION FOR DISTRICT ATTORNEY AND CHAIRMAN TO EXECUTE ANNUAL FEDERAL EQUITABLE SHARING AGREEMENT AND CERTIFICATION REPORT FOR YEAR ENDING 12/31/18**

Mr. Verkey presented the following:

WHEREAS, the District Attorney and the Chairman of the Board of Supervisors are requested to file an Annual Federal Equitable Sharing Agreement and Certification Report in order to continue to receive illegal narcotics monies forfeited through the federal government; now, therefore, be it

RESOLVED, that Chairman of the Wayne County Board of Supervisors and the Wayne County District Attorney are hereby authorized and directed to sign the Federal Annual Equitable Sharing Agreement and Certification Report on behalf of the County of Wayne and the Federal Equitable Sharing Agreement.

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

**RESOLUTION NO. 130-19: AUTHORIZATION TO ACCEPT PATROL RIFLE AMMUNITION, GAS MASKS AND GAS MASK FILTERS DONATION FROM THE EXELON GENERATION COMPANY**

Mr. Verkey presented the following:

WHEREAS, the Wayne County Sheriff's Office has a Patrol Rifle Program that requires continual training to be proficient in the handling and marksmanship of the patrol rifle assigned to each deputy sheriff in the Patrol Rifle Program; and

WHEREAS, the Sheriff is desirous to equip each deputy sheriffs assigned to the Sheriff's Office Road Patrol with a gas mask; and

WHEREAS, the Sheriff has the opportunity to accept a donation of 19,000 rounds of American Eagle 55 grain .223 patrol rifle ammunition, 54 Millennium gas masks of various sizes and 100 CS/CN gas mask filters with an accumulative value of less than \$5,000.00 from the Exelon Generation Company, Pennsylvania with a nuclear plant in Ontario, Wayne County, New York; and

WHEREAS, the patrol rifle ammunition will be used for the Patrol Rifle Program training and semi-annual marksmanship qualifications supervised by a certified patrol rifle firearms instructor; and

WHEREAS, the Millennium gas masks will be distributed to deputy sheriffs assigned to the Sheriff's Office Road Patrol to enhance the already assigned equipment used for civil disturbances and unlawful assemblies as required and needed by Sheriff's Office policy, procedures and general orders; and

WHEREAS, the Sheriff is requesting authorization to accept the donation of the above said 19,000 rounds of American Eagle 55 grain .223 patrol rifle ammunition, 54 Millennium gas masks of various sizes and 100 CS/CN gas mask filters at no cost to the County taxpayers; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to accept the donation of the 19,000 rounds of American Eagle 55 grain .223 patrol rifle ammunition, 54 Millennium gas masks of various sizes and 100 CS/CN gas mask filters, at no costs to County taxpayers.

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

**RESOLUTION NO. 131-19: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH HEALTH ADVANCEMENT COLLABORATIVE OF CENTRAL NEW YORK FOR SECURE ELECTRONIC HEALTH INFORMATION FOR JAIL INMATES**

Mr. Verkey presented the following:

WHEREAS, the Wayne County Jail has been part of the Rochester General Health System's electronic medical records program known as CareLink since January 2013 (RES. NO. 023-13); and

WHEREAS, Health Advancement Collaborative of Central New York, Inc., a Not-for-Profit organization, has an electronic medical records program known as HealtheConnections that serves eleven counties in the Central New York Region; and

WHEREAS, inmates admitted to the care and custody of the Sheriff being housed in the Wayne County Jail are occasionally admitted to and receive treatment by healthcare professionals and facilities that are affiliated with electronic medical records of the HealtheConnections system; and

WHEREAS, the medical professionals of the Wayne County Jail need access to electronic medical records for continued care of inmates receiving healthcare treatment from medical professionals and/or healthcare facilities using the HealtheConnections system; and

WHEREAS, the HealtheConnections system is a secure electronic health information exchange that gives authorized medical professionals access to test results, lab reports, and medical history; and

WHEREAS, authorization via an agreement between the Sheriff and Health Advancement Collaborative of Central New York, Inc., of 443 North Franklin Street, Suite 001, Syracuse, New York 13204 must be in place for the jail medical professionals to have access

to the HealthConnections system; and

WHEREAS, there is no cost affiliated to access the HealthConnections system and the Sheriff is requesting authorization to enter into an agreement with Health Advancement Collaborative of Central New York, Inc. for access to the HealthConnections system; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to enter in an agreement with Health Advancement Collaborative of Central New York, Inc., of 443 North Franklin Street, Suite 001, Syracuse, New York 13204 for the medical professionals of the Wayne County Jail to have access to the HealthConnections system jail inmate electronic medical records, which shall commence upon authorization of the Board of Supervisors and can be terminated upon written notice of either party, upon review and approval of the County Attorney.

Mr. Verno moved the adoption of the resolution. Seconded by Mr. Deming. Upon roll call, adopted.

**RESOLUTION NO. 132-19: AUTHORIZATION TO DECLARE EQUIPMENT SURPLUS FOR THE PROBATION DEPARTMENT**

Mr. Verkey presented the following:

WHEREAS, the Wayne County Probation Department has outdated Electronic Monitoring Equipment which is no longer in use/operational; and

WHEREAS, said surplus is list on file with the Clerk of the Board; and

WHEREAS, the Probation Director wishes to declare the said equipment as surplus; now, therefore, be it

RESOLVED, that the Director of the Wayne County Probation Department is hereby authorized to declare the attached list of items as surplus equipment as per the Wayne County Disposal Policy; and be it further

RESOLVED, the Director of Building and Grounds is hereby authorized to dispose of this equipment as per the Wayne County Disposal Policy.

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

**RESOLUTION NO. 133-19: AUTHORIZATION TO AMEND THE 2019 PROBATION BUDGET FOR UTILITY VEHICLE QUOTE**

Mr. Verkey presented the following:

WHEREAS, the 2019 Probation Department budget includes \$60,500 for two replacement vehicles; and

WHEREAS, the Probation Director and the Highway Superintendent completed a mini bid and the cost of the vehicles quoted in the mini bid is higher than estimated during the budget process because the 2019 vehicles are no longer available and are being replaced with 2020 Utility vehicles with a new Hybrid Motor; and

WHEREAS, the Probation Director is desirous in replacing the old vehicles and the County Deputy Budget Director suggests funding the unbudgeted balance from the General Fund Contingency budget; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2019 County Budget as follows:

**1990 General Fund Contingency**

(Appropriations)

\$6,520.32 from 54000 Contractual Expenses

**A3140 Probation Department**

(Appropriations)

\$6,520.32 to 52300 Motor Vehicles

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

**RESOLUTION NO. 134-19: AUTHORIZATION TO AMEND THE 2019 PUBLIC DEFENDER**

**INDIGENT LEGAL SERVICES GRANT BUDGET**

Mr. Verkey presented the following:

WHEREAS, the 2019 Public Defender’s budget includes over three hundred thousand dollars of appropriations and offsetting reimbursement revenues from various grant funding streams intended to improve legal services for the indigent, and

WHEREAS, the Indigent Legal Services reimbursement grants included in the annual Public Defenders budgets are multi-year grants, and allow for the unused funding of a current year to be rolled over and used in the following year; and

WHEREAS, at the end of 2018 there was an unused balance of grant reimbursable budgeted appropriations of \$3,750 for Expert Services and \$692.51 for legal training for Public Defender attorneys, totaling \$4,442.51 that are allowable by the grant to be rolled over for use in 2019; and

WHEREAS, in addition to the unspent 2018 grant reimbursable appropriation there is another \$4,000 of 2019 grant funding for legal training of Public Defender attorneys that was included in the revenue budget but not included in the appropriations budget; and

WHEREAS, the Public Defender is desirous in amending the appropriations budget to include the \$4,442.51 of roll-over budgets, and the \$4,000 of 2019 legal training costs which the County Deputy Budget Director suggests funding from the General Fund Contingency budget; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2019 County Budget as follows:

**1990 General Fund Contingency**

(Appropriations)

\$4,000.00 from 54000 Contractual Expenses

**A1170 Public Defender**

(Revenues)

\$4,442.51 to 43024 – ILS17 Indigent Legal Services Fund

(Appropriations)

\$4,692.51 to 54483 – ILS17 Training-Seminars & Schools

\$3,750.00 to 54500 – ILS17 Fees for Services Non-employ

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

**RESOLUTION NO. 135-19: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH THE ONTARIO VOLUNTEER EMERGENCY SQUAD FOR WAYNE COUNTY ADVANCED LIFE SUPPORT**

Mr. Verkey presented the following:

WHEREAS, Wayne County Advanced Life Support maintains five bases of operation throughout the county, with all five base locations at facilities owned by others, and utilized by Wayne County ALS through cooperative agreements; and

WHEREAS, at the base of operation in Walworth, the County Paramedics stationed there have historically operated a response vehicle owned by the Walworth Ambulance, Inc; and

WHEREAS, the Wayne County Paramedics currently based in Walworth will soon operate a new vehicle owned by the County, with the Walworth Ambulance organization retaining their current vehicle for their own use; and

WHEREAS, there is not sufficient space at the Walworth facility for inside storage of both the existing Walworth vehicle and the new County vehicle; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an agreement with the Ontario Volunteer Emergency Squad for housing one County response vehicle, as well as the provision of storage space for EMS supplies for the County operation, and office space for the Wayne County Paramedics while on duty and based in Ontario, at no rental cost to the County, with said agreement subject to the approval of the County Attorney as to form and content.

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

**RESOLUTION NO. 136-19: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH VERIZON FOR 911 MODEM AT THE STATE EMERGENCY MANAGEMENT FACILITY**

Mr. Verkey presented the following:

WHEREAS, Wayne County 911 has, for many years, maintained 911 phone lines, or "trunks" routed into both its primary 911 center at the Public Safety Building, and its back-up center in the Village of Newark at the State Emergency Management facility, and

WHEREAS, local control over the routing of 911 phone traffic to either set of trunks has been possible through a Verizon network control modem, now termed PSAP disaster recovery service, which is a service and device maintained by Verizon off site, but accessed locally, and

WHEREAS, Verizon has forwarded a service agreement for the County to continue to lease, and Verizon to maintain, said disaster recovery equipment; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a service agreement with Verizon Business Network Services for the continued provision of maintenance of disaster recovery equipment at a current monthly rate as per applicable tariff pricing of \$265.00, with said service agreement subject to the review and approval of the County Attorney as to form and content.

Mr. Deming moved the adoption of the resolution. Seconded by Mr. Verno. Upon roll call, adopted.

**RESOLUTION NO. 137-19: AUTHORIZATION TO EXECUTE AN AGREEMENT EXTENSION WITH WALWORTH AMBULANCE, INC. FOR WAYNE COUNTY ADVANCED LIFE SUPPORT**

Mr. Verkey presented the following:

WHEREAS, the County maintains an agreement with the Walworth Ambulance, Inc. for the County to operate the ALS response vehicle belonging to the Walworth Ambulance, and for the housing of County personnel on a daily basis, during the regular operation of Wayne County Advanced Life Support; and

WHEREAS, said agreement is due to expire on March 31, 2019; and

WHEREAS, the 2019 County budget includes funding for one ALS vehicle, with the intent being that the addition of this vehicle would allow for the discontinuation of the practice of utilizing the Walworth owned vehicle and reimbursing Walworth Ambulance for mileage; and

WHEREAS, there is no inside storage space available at the Walworth Fire Department or Ambulance for an additional vehicle of the County, necessitating that the County makes other housing arrangements for the new vehicle and staff; and

WHEREAS, a replacement vehicle cannot be purchased and equipped prior to the expiration of the current agreement with the Walworth Ambulance, Inc.; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an agreement extending the current agreement between the County and the Walworth Ambulance, Inc. for an extension period not to exceed six months, to allow for the procurement of the aforementioned County vehicle, and the completion of arrangements for housing this vehicle and County employees elsewhere, with the agreement extension subject to the approval of the County Attorney as to form and content.

Mr. Deming moved the adoption of the resolution. Seconded by Mr. Verno. Upon roll call, adopted.

**RESOLUTION NO. 138-19: AUTHORIZATION TO SOLICIT PROPOSALS FOR WAYNE COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE**

Mr. Verkey presented the following:

WHEREAS, Federal Emergency Management Agency (FEMA) approval of the Wayne County Multi-Jurisdictional Hazard Mitigation Plan expires in May of 2019; and

WHEREAS, this plan must be updated to enable Wayne County and all towns and

villages within the county to retain eligibility for participation in the FEMA Hazard Mitigation Grant program; and

WHEREAS, Emergency Management has applied for grant funding to be utilized for the purpose of updating the plan, said application having been successfully reviewed by NYS and forwarded to FEMA for review; now, therefore, be it

RESOLVED, that the Director of Emergency Management be authorized to issue a Request for Proposal (RFP) for updating the Wayne County Multi-Jurisdictional Hazard Mitigation Plan, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 139-19: AUTHORIZATION TO ACCEPT THE BID FOR NETWORK SWITCHES FOR THE COUNTY WIDE PHONE SYSTEM PROJECT**

Mrs. Pagano presented the following:

WHEREAS, the information Technology department has been approved to replace the county phone system; and

WHEREAS, network switches are needed for the project; and

WHEREAS, the Information Technology Department worked with the Purchasing Clerk to issue a bid for twenty (20) Cisco Catalyst Ethernet Switches; and

WHEREAS, the Clerk of the Board has duly advertised for said bid and the following submissions were received:

<b>Bidder</b>	<b>Unit Price (20 Units)</b>	<b>Total Base Bid</b>
Dox Electronics	\$2,187.50	\$43,750.00
CDW	\$2,426.60	\$48,532.00
Howard Technology Solutions	\$2,903.00	\$58,060.00
Function 5 Technology Group	\$1,990.00	\$39,800.00

WHEREAS, the IT Director received confirmation from the low bidder, Function 5 Technology Group, that the pricing is for newly manufactured equipment which holds a lifetime warranty; now, therefore, be it

RESOLVED, that the bid submitted by Function 5 Technology Group in the amount of \$39,800.00 is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of Wayne County, subject to the County Attorney's approval as to form and content, with Function 5 Technology Group for the purchase and shipment of twenty (20) Cisco Catalyst Ethernet Switches.

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

**RESOLUTION NO. 140-19: AUTHORIZATION FOR THE EXECUTION OF A RENEWAL CONTRACT WITH TYLER TECHNOLOGIES FOR MUNIS SOFTWARE AND FOR OPERATING SYSTEM AND DATABASE ADMINISTRATION SUPPORT**

Mrs. Pagano presented the following:

WHEREAS, the MUNIS is the software program where all of the county financial information is kept; and

WHEREAS, the maintenance comes up for renewal on an annual basis on March 17<sup>th</sup>;

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Tyler Technologies for the following: MUNIS software maintenance for all financial modules for the contract period starting March 17, 2019 to March 16, 2020 at a cost not to exceed \$ 234,840.66.

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

**RESOLUTION NO. 141-19: AUTHORIZATION TO UTILIZE SOCIAL MEDIA FOR WAYNE COUNTY TREASURERS OFFICE**

Mrs. Pagano presented the following:

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

WHEREAS, the Wayne County Treasurer's Office wishes to utilize social media to communicate with residents as more and more people are receiving news and information from less traditional methods like newspapers; and

WHEREAS, it is a goal of the County Treasurer to decrease the property tax delinquency rate and being able to reach out and do targeted advertising could be an effective way to do this; and

WHEREAS, the County Treasurer has submitted a Business Case Justification to the County Attorney and the County Administrator as directed by the Acceptable Use of Social Media policy; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to utilize social media in compliance with the Wayne County Employee Handbook on Information Security Guidelines.

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

**RESOLUTION NO. 142-19: AUTHORIZATION TO AMEND 2019 COUNTY TREASURERS BUDGET**

Mrs. Pagano presented the following:

WHEREAS, Resolution No. 568-18 approved the 2019 tax enforcement fee of \$150.00 which is the same as previous years; and

WHEREAS, in previous years title search cost were recorded as an expense in the Title Search and Mail Fee (Tax Enforcement Fee) Revenue account in the A1325 County Treasurer budget, resulting in the net revenue being shown in the accounting records; and

WHEREAS, the County Treasurer is desirous of changing this practice and recording the title search expense in the appropriations instead of revenue accounts; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to amend the 2019 County Budget as follows:

**A1325 County Treasurer**

Revenue

\$128,000.00 to .41231 Title Search & Mail Fees

Appropriations

\$128,000.00 to .54231 Title Search Fees

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

**RESOLUTION NO. 143-19: SETTING DATE FOR A PUBLIC HEARING ON THE PROPOSED AMENDMENT OF LOCAL LAW 2-1995 WHICH PROVIDED FOR THE INSTALLMENT PAYMENT OF ELIGIBLE DELINQUENT REAL PROPERTY TAX**

Mrs. Pagano presented the following:

WHEREAS, Local Law No. 2-1995 was adopted allowing for the County Treasurer to

enter into installment payment agreements on delinquent property taxes; and  
WHEREAS, new provisions added to Section 1184 of the Real Property Tax law have been added since the adoption of Local Law No. 2-1995 that should be added to it; and  
WHEREAS, the County Treasurer and Wayne County Board of Supervisors desires to update the local law; now, therefore, be it  
RESOLVED, that Board of Supervisors shall hold a public hearing on **Tuesday, March 19, 2019 at 9:05 a.m.** in the Supervisors Chambers located at 26 Church Street, Lyons, New York 14489 on the following proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK  
INTRO NO. 2/LOCAL LAW NO. \_\_\_ FOR THE YEAR 2019**

A Local Law to Amend Local Law No. 2 of 1995 to Provide for the Installment Payment of Eligible Delinquent Taxes Pursuant to Real Property Tax Law Section 1184.

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

**SECTION 1. PURPOSE**

This local law is enacted pursuant to the provisions of Section 1184 of the Real Property Tax law of the state of New York for the purpose of providing for the installment payment of eligible delinquent real property taxes.

**SECTION 2. DEFINITIONS**

As used in this Section:

- (a) "County" means the County of Wayne;
- (b) "County Treasurer" means the County Treasurer of the County of Wayne;
- (c) "Eligible delinquent taxes" means delinquent taxes, including interest, penalties, and other charges which have accrued against a parcel as of the date on which an installment agreement is executed;
- (d) "Eligible owner" means an owner of real property who is eligible to or has entered into an installment agreement;
- (e) "Installment agreement" means a written agreement between an eligible owner and the County Treasurer providing for the payment of eligible delinquent taxes in installments pursuant to the provisions of Section 1184 of the Real Property Tax Law and this local law.

**SECTION 3. AUTHORIZATION**

The County Treasurer is authorized to enter into an installment agreement with an eligible owner providing for the payment of eligible delinquent taxes in installments. Such installment payment of eligible delinquent taxes shall be made available to each eligible owner on a uniform basis pursuant to the provisions of Section 1184 of the Real Property Tax Law and this local law. The installment payment of eligible delinquent taxes shall commence upon the signing of an installment agreement between the County Treasurer and the eligible owner. The agreement shall be kept on file in the office of the County Treasurer.

**SECTION 4. PROPERTIES**

This local law shall apply to all classes of properties within Wayne County.

**SECTION 5. ELIGIBILITY DATE**

An owner of real property shall be eligible to enter into an installment agreement pursuant to this local law no earlier than thirty days after the delivery of the return of the unpaid taxes to the County Treasurer and no later than November 30<sup>th</sup> of the current year. After November 30<sup>th</sup> it shall be the County Treasurer's discretion if a contract is to be entered into.

**SECTION 6. INSTALLMENT AGREEMENT PROVISIONS**

Such installment agreement shall provide:

- (a) The maximum term of an installment agreement, which shall not exceed twenty-four months;
- (b) The payment schedule which shall be monthly;

- (c) A required minimum initial down payment, which shall be \$175.00 or ten percent of the eligible delinquent taxes whichever is greater, but not exceed 25% of the eligible delinquent taxes, although an eligible owner may make larger initial down payment if the eligible owner so chooses.

**SECTION 7. RESTRICTIONS**

A property owner shall not be eligible to enter into an installment agreement pursuant to this local law where;

- (a) There is a delinquent tax lien on the same property for which the application is made or on another property owned by such person and such delinquent tax lien is not eligible to be made part of the agreement pursuant to this local law;
- (b) Such person is the owner of another parcel within Wayne County on which there is a delinquent tax lien, unless such delinquent tax lien is eligible to be and is made part of the agreement pursuant to this local law; or
- (c) Such person was the owner of property on which there existed a delinquent tax lien and which lien was foreclosed within three years of the date on which an application is made to execute an agreement pursuant to this local law.
- (d) Such person defaulted on an agreement executed pursuant to this section within three years of the date on which application is made to execute an agreement pursuant to this section.

**SECTION 8. AMOUNT DUE**

The amount due under an installment agreement shall be eligible delinquent taxes plus the interest that is to accrue on each installment payment up to and including the date on which each payment is to be made. The agreement shall provide that the amount due shall be paid, as nearly as possible, in equal amounts on each payment due date. Each installment payment shall be due on the last day of the month in which it is to be paid. Such payments shall be applied first to interest, penalties, and other charges, then to principal. As used herein, the term "principal" shall mean the amount of the delinquent tax excluding all interest, penalties, and other charges.

**SECTION 9. INTEREST AND PENALTIES.**

- (a) Interest on the total amount of eligible delinquent taxes, less the amount of the down payment made by the eligible owner, shall be that amount as determined pursuant to Section 924-a of the Real Property Tax Law. The rate of interest in effect on the date the agreement is signed shall remain constant during the period of the agreement. If an installment is not paid on or before the date it is due, interest shall be added at the rate prescribed by Section 924-a of the Real Property Tax Law for each month or portion thereof until paid. In addition, if an installment is not paid by the end of the fifteenth calendar day after the payment due date, a late charge of five percent of the overdue payment shall be added.
- (b) Waiver of interest and penalties for certain eligible deployed military members. The County Treasurer is authorized to waive interest and penalties, provided that:
  - (i) The financial hardship was caused in substantial part by the eligible owner's having been ordered to active military duty in the United States armed forces including the reserve components of such armed forces.
  - (ii) The deployment lasted for at least six contiguous months, or the owner was killed in action during such activation; and
  - (iii) The owner or estate must provide satisfactory written evidence to the County Treasurer prior to foreclosure including documentation from the armed forces showing the eligible owner meets criteria (ii) above.

**SECTION 10. DEFAULT**

- (a) The eligible owner shall be deemed to be in default of the installment agreement upon:
  - (i) Non-payment of any installment within thirty days from the payment due date;
  - (ii) Non-payment of any tax, special ad valorem levy or special assessment which is levied subsequent to the signing of the agreement by the County, and which is not paid prior to the expiration of the warrant of the collecting officer, or

(iii) Default of the eligible owner on another agreement made and executed pursuant to this local law.

(b) In the event of a default, the County Treasurer shall have the right to require the entire unpaid balance, with interest and late charges, to be paid in full. The County shall also have the right to enforce the collection of the delinquent tax lien pursuant to the applicable sections of the law.

(c) Where the eligible owner is in default and the County Treasurer does not either require the eligible owner to pay in full the balance of the delinquent taxes or elect to institute foreclosure proceedings, the County shall not be deemed to have waived the right to do so.

**SECTION 11. NOTIFICATION OF POTENTIAL ELIGIBLE OWNERS.**

(a) Within forty-five days after receiving the return of the unpaid taxes from the collecting officer, or as soon thereafter as is practicable, the County Treasurer shall notify, by first class mail, all potential eligible owners of their possible eligibility to make installment payments on such tax delinquencies. The County Treasurer shall add one dollar to the amount of the tax lien for such mailing.

(b) The failure to mail any such notice, or the failure of the addressee to receive the same, shall not in any way affect the validity of taxes or interest prescribed by law with respect thereto.

(c) The County Treasurer shall not be required to notify the eligible owner when an installment is due.

**SECTION 12. TAX LIEN**

The provisions of this local law shall not affect the tax lien against the property except that the lien shall be reduced by the payments made under an installment agreement, and that the lien shall not be foreclosed during the period of installment payments provided that such installment payments are not in default.

**SECTION 13. EFFECTIVE DATE**

This local law shall take effect on the date if it is filed in the Office of the Secretary of State.

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

**RESOLUTION NO. 144-19: REFUNDING BOND RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, NEW YORK (THE "COUNTY") AUTHORIZING THE ISSUANCE OF REFUNDING BONDS OF THE COUNTY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$7,450,000 PURSUANT TO THE LOCAL FINANCE LAW, AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY**

Mrs. Pagano presented the following:

WHEREAS, the County of Wayne, New York (the "County") heretofore issued its original aggregate principal amount \$9,810,000 Public Improvement (Serial) Bonds, Series 2009, dated December 30, 2009, comprised of (i) \$6,885,000 Public Improvement (Serial) Bonds, 2009A, (ii) \$1,985,000 Public Improvement (Serial) Bonds, 2009B, and (iii) \$940,000 Public Improvement (Serial) Bonds, 2009C (collectively, the "Series 2009 Bonds"), pursuant to a bond resolution adopted by the Board of Supervisors of the County on September 15, 2009, for the object or purpose identified in Exhibit A attached hereto, which bonds have an outstanding principal amount of \$7,420,000, and mature in the following respective years and principal amounts: \$320,000 in the year 2019, \$330,000 in the year 2020, \$350,000 in the year 2021, \$365,000 in the year 2022, \$385,000 in the year 2023, \$405,000 in the year 2024, \$425,000 in the year 2025, \$445,000 in the year 2026, \$470,000 in the year 2027, \$490,000 in the year 2028, \$510,000 in the year 2029, \$535,000 in the year 2030, \$560,000 in the year 2031, \$585,000 in the year 2032, \$610,000 in the year 2033, and \$635,000 in the year 2034 (the "Prior Bonds"); and

WHEREAS, the Prior Bonds were issued as part of a pooled bond financing program undertaken by the State of New York Municipal Bond Bank Agency ("MBBA"), under which (i) MBBA publicly issued, on a pooled basis, for the benefit of the County and other participating counties and municipalities, its special revenue bonds constituting recovery zone economic development bonds, direct payment build America bonds, and federally tax-exempt bonds; and (ii) the County issued the Prior Bonds to MBBA as security for, and the source of payment of, the allocable portion of MBBA's bonds that are issued for the benefit of the County; and

WHEREAS, the County has the power and authority to issue refunding bonds of the County for the purpose of refunding and thereby refinancing the outstanding Prior Bonds, including provision for incidental costs of issuance in connection therewith, pursuant to the provisions of Section 90.00 and/or Section 90.10 of the Local Finance Law; and

WHEREAS, in order for the County to realize the potential for substantial long-term debt service savings with respect to the Prior Bonds, the Board of Supervisors of the County has determined, acting in consultation with the financial advisory and bond counsel firms retained by the County, that it is advisable and prudent for the County to consider the refunding of all or a portion of the outstanding Prior Bonds maturing in the years 2020 and thereafter (the "Refunded Bonds"); and

WHEREAS, the County has received a draft refunding financial plan (the "Refunding Financial Plan"), a copy of which is attached hereto as Exhibit B, from Raymond James & Associates, Inc. ("Raymond James"), with respect to a proposed refunding of the Refunded Bonds, which refunding would result in present value savings in debt service as required by Section 90.10 of the Local Finance Law; and

WHEREAS, the Refunded Bonds are, by their terms, subject to redemption prior to their stated maturity dates on any interest payment date occurring on or after December 10, 2019 at the option of the County; and

WHEREAS, Sections 90.00 and 90.10 of the Local Finance Law, each require that the County adopt a refunding bond resolution which includes a refunding financial plan setting forth all of the details in connection with the proposed refunding transaction; and

WHEREAS, the Board of Supervisors now intends to authorize the issuance of refunding bonds for the purpose of refunding all or a portion of the Refunded Bonds in accordance with the Refunding Financial Plan.

NOW THEREFORE, BE IT RESOLVED THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, NEW YORK (BY THE FAVORABLE VOTE OF NOT LESS THAN TWO-THIRDS (2/3'S) OF ALL THE MEMBERS OF THE BOARD OF SUPERVISORS) AS FOLLOWS:

**SECTION 1.** Based on the recommendation of Municipal Solutions, Inc., the financial advisory firm retained by the County, the Board of Supervisors hereby determines to undertake a refunding of the Refunded Bonds, through the issuance of refunding bonds of the County.

**SECTION 2.** For the object or purpose of refunding the \$7,100,000 aggregate outstanding principal balance of the Refunded Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (a) the principal amount of the Refunded Bonds, (b) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the date or dates on which the Refunded Bonds which are optionally redeemable are to be called for redemption prior to their respective maturities in accordance with the refunding financial plan, (c) the redemption premiums, if any, payable on the Refunded Bonds which are to be called for redemption prior to their respective maturities, (d) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including without limitation the development of the Refunding Financial Plan, compensation to the Underwriter, costs and expenses of executing and performing the terms and conditions of the Escrow Contract (as defined in Section 7 of this resolution), and fees and charges of the Escrow Holder (as defined in Section 7 of this resolution), financial advisory fees, printing fees and legal fees and (e) the premium or premiums for any policy or policies of municipal bond insurance or other form of credit enhancement facility or facilities for the refunding bonds as herein authorized, or any

portion thereof, there are hereby authorized to be issued the "Public Improvement Refunding (Serial) Bonds" of the County in an aggregate principal amount not to exceed \$7,450,000 pursuant to the provisions of Sections 90.00 and 90.10 of the Local Finance Law (the "Refunding Bonds"), it being currently anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$6,545,000 as described in Section 6 hereof. The Refunding Bonds shall be dated as of such date as shall hereinafter be determined by the County Treasurer of the County pursuant to Section 6 hereof, and shall be of the denomination of \$5,000 or any integral multiple thereof not exceeding the principal amount of each respective maturity. The Refunding Bonds shall mature annually and shall bear interest payable semi-annually on such dates as shall be determined by the County Treasurer pursuant to Section 6 hereof, at the rate or rates of interest per annum as may be necessary to sell the same, all as shall be determined by the County Treasurer. Notwithstanding anything in this resolution to the contrary, the Refunding Bonds shall only be issued by the County if the refunding of the Refunded Bonds will result in present value savings as determined in accordance with the methodology set forth in Section 90.10(b)(2) of the Local Finance Law.

**SECTION 3.** The County Treasurer of the County, as the chief fiscal officer, is hereby delegated all powers of the Board of Supervisors with respect to agreements for credit enhancement derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to, the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

**SECTION 4.** The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signature of the County Treasurer, and a facsimile of its corporate seal shall be imprinted thereon and attested by the County Clerk. The Refunding Bonds shall contain the recital required by Section 90.00(g)(4) and Section 90.10(j)(4) of the Local Finance Law, as applicable, and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals as the County Treasurer shall determine.

**SECTION 5.** It is hereby determined that:

(a) The maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by Section 90.10(b)(1) of the Local Finance Law;

(b) The maximum period or periods of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds or, if applicable, the first bond anticipation notes issued in anticipation thereof, whichever is earlier, for the object or purpose for which the Refunded Bonds were issued is as shown upon Exhibit A attached hereto.

(c) In accordance with Section 90.10(c)(1) of the Local Finance Law, the last installment of the Refunding Bonds will mature not later than the expiration of the remaining period of probable usefulness for the object or purpose for which the Refunded Bonds were issued or, if applicable, from the date of issuance of the first bond anticipation note issued in anticipation thereof, whichever is earlier.

**SECTION 6.** The Refunding Financial Plan, showing the sources and amounts of all moneys required to accomplish such refunding, and the estimated present value of the total debt service savings anticipated to result from the issuance of the Refunding Bonds, computed in accordance with the requirements of Section 90.10(b)(2)(a) of the Local Finance Law, is set forth in Exhibit B attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the principal amount of \$6,545,000 and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth in Exhibit B. This Board of Supervisors of the County recognizes that the amount of the Refunding Bonds, and the maturities, terms, and interest rate and rates borne by the Refunding Bonds may be different from such assumptions and that the final refunding financial plan with respect to the Refunding Bonds will likely be different from that attached hereto as Exhibit B. The County Treasurer is hereby authorized and directed to determine the actual amount of the Refunding Bonds to be issued (not in excess of

the maximum principal amount authorized by Section 2 of this resolution), the maturities and amount of the Refunded Bonds to be refunded, the details as to the redemption of the Refunded Bonds, including the date and amount of such redemption or redemptions and the authorization and direction to the Escrow Holder described in Section 7 to cause notice of such redemption or redemptions to be delivered, if applicable, the weighted average remaining period of probable usefulness for the objects or purposes (or classes of objects or purposes) financed by the Refunded Bonds, the date of issuance and the dated date of the Refunding Bonds, and the maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds shall provide for substantially level or declining debt service as authorized by Section 21.00 of the Local Finance Law, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities pursuant to Section 168.00 of the Local Finance Law, the amount of the annual installments of the Refunding Bonds to be paid pursuant to Section 90.10(c)(3) of the Local Finance Law, whether the Refunding Bonds shall be sold at a discount in the manner authorized by Section 57.00(e) of the Local Finance Law, whether the Refunding Bonds shall be sold in a private sale as authorized by Section 63.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, and to prepare, or cause to be provided, a final refunding financial plan (the "Final Refunding Financial Plan") for the Refunding Bonds, and, pursuant to Sections 50.00 and 56.00 of the Local Finance Law, all powers in connection therewith are hereby delegated to the County Treasurer; provided that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.00 or Section 90.10 of the Local Finance Law. The County Treasurer shall file with the Clerk of the Board of Supervisors not later than the date of issuance of the Refunding Bonds, as herein provided, (a) a copy of the Treasurer's certificate determining the details of the Refunding Bonds and the Final Refunding Financial Plan and (2) unless the Refunding Bonds are sold in a private sale pursuant to Section 63.00 of the Local Finance Law and are issued in compliance with Section 90.00 of the Local Finance Law, a certificate setting forth the present value of the total debt service savings as approved by a Certificate of the State Comptroller, as required by Section 90.10(g) of the Local Finance Law.

**SECTION 7.** The County Treasurer of the County is hereby authorized and directed to enter into an escrow contract (the "Escrow Contract") with a bank or trust company located and authorized to do business in this State as the County Treasurer shall designate (the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunded Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

**SECTION 8.** The faith and credit of said County are hereby irrevocably pledged for the payment of the principal of and interest on the Refunding Bonds herein authorized as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

**SECTION 9.**

(a) All of the proceeds from the sale of the Refunding Bonds, including the premium, if any (the "Proceeds of the Refunding Bonds"), shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. From the Proceeds of the Refunding Bonds, the portion thereof as is necessary to pay the outstanding principal amount of the Refunded Bonds, the aggregate amount of unmatured interest on the Refunded Bonds to and including the respective maturity dates or redemption dates thereof as set forth in the Final Refunding Financial Plan prepared by, or caused to be prepared by, the County Treasurer of the County in accordance with Section 6 of this resolution, and the redemption premiums, if any, payable on the Refunded Bonds on such redemption dates (such amount being hereinafter referred to as the "Escrow Deposit Amount"), shall be deposited in the escrow

deposit fund to be established pursuant to the Escrow Contract, and either held in cash or invested in direct obligations of the United States of America or in obligations, the principal of and interest on which are unconditionally guaranteed by the United States of America, which obligations shall mature or be subject to redemption at the option of the holder thereof not later than the respective dates such moneys will be required to make payments in accordance with the Final Refunding Financial Plan. Amounts held on deposit in the Escrow Fund, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of, interest on, and redemption price of the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such monies held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the Escrow Fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims or any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledge and liens, need be filed or recorded.

(b) After depositing the Escrow Deposit Amount into the Escrow Fund, in accordance with paragraph (a) above, the remaining balance, if any, of the Proceeds of the Refunding Bonds not so deposited shall immediately upon receipt thereof, be placed in escrow with the Escrow Holder for the Refunded Bonds and deposited in the expense fund to be established under the Escrow Contract by the Escrow Holder to pay, to the County Treasurer of the County, as chief fiscal officer, or as the County Treasurer may direct and applied to pay (i) accrued interest on the Refunding Bonds from the dated date thereof to the date of issuance thereof, if any, and (ii) costs of issuance or other administrative costs incurred in connection with the issuance of the Refunding Bonds.

**SECTION 10.** The County Treasurer of the County is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Refunding Bonds, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, if applicable, to designate the Refunding Bonds authorized by this resolution as "qualified tax-exempt bonds" in accordance with Section 265 of the Code.

**SECTION 11.** The Board of Supervisors hereby determines that issuance of the Refunding Bonds is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") is required.

**SECTION 12.** In accordance with the provisions of Section 53.00 and of paragraph (h) of Section 90.10 of the Local Finance Law, the Board of Supervisors of the County hereby elects to call in and redeem the Refunded Bonds on December 10, 2019 or, such later date or dates as may be hereinafter determined by the County Treasurer of the County and provided for in the Final Refunding Financial Plan (the "Redemption Date"). The sum to be paid therefor on the Redemption Date shall be the par value of the Refunded Bonds being redeemed on such date plus the redemption premium, if any, and the accrued interest thereon to the Redemption Date. The Escrow Holder is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the respective Refunded Bonds being redeemed or in the certificates or documentation of the County pursuant to which they were issued. Upon the issuance of the Refunding Bonds, the election to call in and redeem the Refunded Bonds that are subject to redemption at the option of the County and the direction to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of Section 53.00(a) of the Local Finance Law, or any successor law thereto.

**SECTION 13.** In connection with the issuance of the Refunding Bonds, the County Treasurer of the County is further authorized to enter into a continuing disclosure undertaking on behalf of

the County, containing provisions in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

**SECTION 14.** In the absence or unavailability of the County Treasurer of the County, the Deputy County Treasurer is hereby specifically authorized to exercise the powers delegated to the County Treasurer in this resolution.

**SECTION 15.**

(a) Subject to compliance with the provisions of Section 90.10(f)(2) of the Local Finance Law, the Refunding Bonds shall be sold at a private sale.

(b) The County Treasurer of the County is hereby authorized to negotiate the terms of such private sale with either Raymond James or such other investment banking firm as may be recommended by the County's financial advisor and selected by the County Treasurer to serve as underwriter for the issuance and sale of the Refunding Bonds (the "Purchaser"), consistent with the Refunding Financial Plan approved in Section 6 hereof, and to execute and deliver a bond purchase agreement for the Refunding Bonds in the name and on behalf of the County providing the terms and conditions for the sale and delivery of the Refunding Bonds; provided, however, that the sale of the Refunding Bonds pursuant to such bond purchase agreement shall be subject to the approval of the terms and conditions of such sale by the State Comptroller as required by Section 90.10(f)(2) of the Local Finance Law. After the Refunding Bonds have been duly executed, they shall be delivered by the County Treasurer in accordance with said bond purchase agreement upon the receipt by the County of said purchase price, including accrued interest, if any.

(c) As an alternative to selling the Refunding Bonds in a private sale to the Purchaser, as authorized by paragraph (b) above, the County Treasurer is also authorized to undertake the sale of the Refunding Bonds in a private sale to the MBBA pursuant to Section 57.00 of the Local Finance Law as part of a pooled bond financing program undertaken by MBBA under which (i) MBBA would publicly issue, on a pooled basis for the benefit of the County and other participating municipalities, its special revenue bonds (the "MBBA Bonds"), and (ii) the County would issue the Refunding Bonds to MBBA as security for, and the source of payment of, an allocable share of the MBBA Bonds that are issued for the benefit of the County. In connection with any such financing through MBBA, the County Treasurer is hereby authorized:

(1) to negotiate and approve the terms of, and to execute and deliver on behalf of the County, a bond purchase agreement or similar agreement or instrument (the "MBBA BPA") by which the County agrees to sell the Bonds to MBBA and MBBA agrees to issue the MBBA Bonds for the benefit of the County and to purchase the Refunding Bonds out of the proceeds thereof; provided, however, that the sale of the Refunding Bonds to MBBA shall be subject to the approval of the terms and conditions thereof by the State Comptroller as required by Section 90.10(f)(2) of the Local Finance Law;

(2) to execute and deliver on behalf of the County any and all agreements, certificates, and instruments contemplated by or required under the terms of the MBBA BPA; and

(3) to take such other actions as the County Treasurer shall determine, based on the advice of the County Attorney and the County's Bond Counsel, are reasonable and proper in connection with the purchase of the Bonds by MBBA.

**SECTION 16.** The County Treasurer, the County Clerk, the Clerk of the Board of Supervisors, and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

**SECTION 17.** All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the County Treasurer of the County and all powers in connection therewith are hereby delegated to the County Treasurer.

**SECTION 18.** The validity of the Refunding Bonds may be contested only if:

(a) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money; or

(b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(c) Such obligations are authorized in violation of the provisions of the Constitution.

**SECTION 19.** The Clerk of the Board of Supervisors is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, together with a notice in substantially the form set forth in Section 81.00 of the Local Finance Law in the official newspaper of the County for legal notices.

**SECTION 20.** This resolution shall take effect immediately upon its adoption.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Deming. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Crane and Jacobs. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 145-19: RESOLUTION SETTING DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW AMENDING THE MORTGAGE RECORDING TAX WITHIN THE COUNTY OF WAYNE**

Mrs. Pagano presented the following:

WHEREAS, NY Tax Law, Section 253-m allows Wayne County to adopt and amend local laws imposing in Wayne County a tax of twenty-five cents for each one hundred dollars and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the County of Wayne and recorded on or after the date upon which such tax takes effect and a tax of twenty-five cents on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars; and

WHEREAS, each enactment of a local law pursuant to the authority of NY Tax Law, Section 253-m may provide for the imposition of a mortgage tax for a period no longer than three years from the date of enactment; and

WHEREAS, the existing local law enacted in Wayne County pursuant to the authority of NY Tax Law, Section 253-m will expire on December 5, 2019; and

WHEREAS, the Board of Supervisors desires to enact an amendment to the existing local law, which will have the effect of extending said local law for a time period of three (3) years, in accordance with NY Tax Law, Section 253-m(6); and

WHEREAS, NY Tax Law, Section 253-m (7) requires that any local law imposing a tax pursuant to that section shall take effect only on the first day of a calendar month, and further that such local law shall not be effective unless a certified copy of such local law is mailed by registered or certified mail to the Commissioner of Taxation and Finance at the Commissioner's office in Albany at least thirty (30) days prior to the date the local law shall take effect, and that certified copies of any local law described in this section shall also be filed with the county clerk of the county of Wayne, the secretary of state and the state comptroller within five (5) days after the date it is duly enacted; now, therefore, be it

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law, that the Board of Supervisors shall hold a public hearing on Tuesday, March 19, 2019, at 9:10 a.m., in the Supervisors' Chambers in the County Court House, Lyons, New York 14489, on the following proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK  
INTRO NO. 3 /LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2019**

A local law amending Local Law No. 4-2005, as amended by Local Law No. 4-2008, as amended by Local Law No. 1 – 2011, as amended by Local Law 1-2014, and amended by Local Law 2-2016 entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne."

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

follows:

#### **SECTION 1**

Section 1 of Local Law 4-2005, as amended by Local Law No. 4-2008 and by Local Law No. 1-2011, and by Local Law No. 1-2014 and by Local Law no. 2-2016 entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne" is hereby amended to read as follows:

##### **Section 1. Imposition of Tax**

Pursuant to Chapter 164 of the Laws of 2005, for the period beginning December 1, 2019 and ending three (3) years from the date of enactment thereof, there is hereby imposed, in the county of Wayne, a tax of \$0.25 for each \$100.00, and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the county of Wayne and recorded on or after December 1, 2019 and a tax of \$0.25 on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.00.

#### **SECTION 2**

Section 7 of Local Law No. 04-2005 as amended by Local Laws Nos. 4-2008, No. 1 – 2011, No. 1-2014 and No. 2-2016, entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne" is hereby amended to read as follows:

##### **Section 7. Effective Date**

This local law shall take effect on the first day of December 2019, provided a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at least 30 days prior to such date. Certified copies of this local law shall also be filed with the Wayne County Clerk, the Secretary of State, and the State Comptroller within five days after the date it is duly enacted.

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

#### **RESOLUTION NO. 146-19: AUTHORIZATION TO RENEW INSURANCE POLICIES WITH EASTERN SHORE ASSOCIATES**

Mrs. Pagano presented the following:

WHEREAS, the County has received a proposal from its current insurance broker, Eastern Shore Associates to renew its existing insurance program effective March 1, 2019 to March 1, 2020 for a premium of \$355,609.57; and

WHEREAS, the proposal includes the following insurance policies renewing with New York Municipal Insurance Reciprocal (NYMIR): Property, General Liability, Inland Marine, Automobile Liability, Public Officials Liability, Law Enforcement Liability, Catastrophic Excess Liability, Healthcare General Liability, Healthcare Professional Liability; and

WHEREAS, the proposal also includes crime coverage renewing with Travelers and inland marine coverage (insuring physical damage of certain trucks and heavy equipment) renewing with Liberty Mutual; and

WHEREAS, the expiring program included similar coverage and deductibles, with some lesser exposures, and carried an annualized premium of \$348,994.24; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and the Self-Insurance Specialist are hereby authorized and directed to renew the County's insurance program through Eastern Shore Associates effective March 1, 2019 to March 1, 2020.

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

#### **RULE 14 RESOLUTIONS**

#### **RESOLUTION NO. 147-19: REIMBURSEMENT TO GENERAL FUND FOR RETROACTIVE**

**SELF-INSURANCE SPECIALIST SALARY EXPENSE**

Mr. Chatfield presented the following:

WHEREAS, the County of Wayne pays for the salary and benefits of one Self-Insurance Specialist out of the General Fund's A1430 cost center; and

WHEREAS, the Self-Insurance Specialist spends approximately 40% of their time completing Workers' Compensation related tasks; and

WHEREAS, the Workers' Compensation S Fund budgeted a contractual expense annually, 40% of the Self-Insurance Specialist's annual salary and benefits, to reimburse the General Fund which was never transferred to cost center A1430 from the years 2015-2018 and fell to the S Fund balance; and

WHEREAS, the following actual expenses were incurred by the general fund in each year:

2015: \$30,927.15

2016: \$32,105.85

2017: \$28,213.12

2018: \$26,953.35

WHEREAS, the County is desirous of correcting this issue, now, therefore, be it

RESOLVED, that the County Treasurer is authorized to transfer \$118,199.47 from the S Fund Balance; and be it further

RESOLVED, that the County Treasurer is authorized to amend the 2019 S Fund budget as follows:

**APPROPRIATIONS**

\$118,199.47 to S17104.54000 Contractual Expense

and be it further

RESOLVED, that the County Treasurer is authorized to transfer from Workers' Compensation S Fund to the General Fund through a single interfund transfer, the total amount \$118,199.47 owed in contractual expenses.

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

**OTHER BUSINESS:**

Mr. Verkey moved, seconded by Mr. Miller that one (1) resolution be allowed on the floor under Other Business. Upon roll call, all Supervisors voted aye Absent – Supervisors Crane and Jacobs. Motion Carried.

**RESOLUTION NO. 148-19: ENDORSING PROJECT AT WILLIAMSON-SODUS AIRPORT**

Mr. Spickerman presented the following:

WHEREAS, Williamson Flying Club, Inc. has requested state funds through the Airport Improvement and Revitalization grant program (AIR '99) for the following project at Williamson-Sodus Airport:

Construct 18 Bay T-Hangar (Design and construction of a 22,900 SF enclosed T-hangar, a pre-engineered metal building (PEMB) design assembled onto a concrete slab, to be constructed adjacent to the existing hangar facilities. The hangar, equipped with a solar array to take advantage of the large south facing roof surface, will consist of sixteen nested T-hangars with larger conventional units at each end. Each nested T-hangar will be 40 ft wide by 42 ft deep while the two conventional end units will be 52 ft wide by 51 ft deep. The total perimeter of the hangar will be 440 ft long by 52 ft wide with a 12 foot eave. The minimum configuration will be to accommodate sixteen small, single engine piston aircraft plus two larger single or small twin engine aircraft. M/WBE goals for this project: 12% MBE & 18% WBE.), PIN 4912.85

WHEREAS, the New York State Department of Transportation, under State Transportation Law, requires that privately-owned airports submit an endorsing resolution from the governing body of the county in which the airport is located; and

WHEREAS, this Honorable Body has received a request from Williamson Flying Club, Inc. to endorse the project; now, therefore be it

RESOLVED, that the County of Wayne endorses the project identified above at Williamson-Sodus Airport for the purpose of making the project eligible for State funding; and

RESOLVED, that the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials and to the Capital Projects Chairman of Williamson Flying Club, Inc. to be filed with the NYS Commissioner of Transportation; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Mr. Verkey moved the adoption of the resolution. Seconded by Mr. Verno. Upon roll call, adopted.

**EXECUTIVE SESSION**

Mrs. Pagano moved, seconded by Mr. Verkey to request an Executive Session at 9:48 a.m. to discuss potential disciplinary matters regarding an employee. Carried.

**REGULAR SESSION**

Mr. Miller moved, seconded by Mrs. Pagano that the board resume regular session at 10:00 a.m. Carried.

**ADJOURNMENT:**

The next scheduled meeting of the Board is **Tuesday, March 19, 2019 at 9:00 a.m.**

Mr. Miller moved, seconded by Mr. Kolczynski, that the board adjourn at 10:02 a.m. Carried.

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