

4th Day
Tuesday, March 18, 2014
7:00 p.m.

The regular meeting of the Board of Supervisors was held at The Ohmann Theatre, 65 William Street in the Village of Lyons, Chairman Hoffman presiding.

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

Kelley Patchen-Loveless sang the "*National Anthem*"; followed by Supervisor Monica Deyo, playing "*America the Beautiful*" on the Ohmann Theatre organ.
Chairman Hoffman thanked both Kelley and Monica for sharing their talents today.

Mr. Thomas Herendeen, Curator of the Ohmann Theatre, welcomed everyone to today's County Board meeting; and gave a presentation on the history of *The Ohmann Theatre*.

Chairman Hoffman requested the Clerk to call the roll. Upon roll call, all Supervisors were present. County Administrator James Marquette and County Attorney Daniel Connors were also present.

APPROVAL OF MINUTES:

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

COMMUNICATIONS:

A copy of the Sheriff's Cash Receipts Report dated February 28, 2014 was received totaling \$16,426.44.

A copy of the January 22, 2014 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 a letter and report was received, in accordance with Section 66(23) of the Public Service Law, from the NYSEG Environmental Compliance Division with a copy of the Semiannual Inventory Report of PCB Equipment retired, stored, processed or shipped for the period July 2013-December 2013.

Copies of adopted resolutions were received from the Oswego County Legislature, entitled: "Resolution Urging NYS to Review and Amend the Taxable Status of Spent Nuclear Fuel Storage Facilities and Infrastructure" and Resolution Urging NYS to Extend or Make Permanent Real Property Tax Law Section 485".

A Notice of a "PILOT" Agreement was received for 6377 Dean Parkway, LLC, from Harris Beach Law Attorneys and the Wayne County Industrial Development Agency.

A Notice of a "PILOT" Agreement was received for Jindal Films America, LLC, from Harris Beach Law Attorneys and the Wayne County Industrial Development Agency.

A letter was received from the NYS Office for the Aging regarding the Annual Evaluation for the Wayne County Department of Aging and Youth.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments, including the February warrants for accounts payable totaling \$3,379,646.42 was received and filed.

ANNUAL REPORTS:

Chairman Hoffman noted that the following Annual Reports from County Departments were reviewed by their Standing Committees and referred to the full Board for filing:
Department of Social Services
Public Works Department

Economic Development and Planning Departments
Tourism Department
Department of Probation and Correctional Alternatives
Wayne Pre-Trial Services
Board of Elections
Human Resources
District Attorney
Information Technology

Mr. Hammond moved, seconded by Ms. Parks, that the Annual Reports be received and filed. Upon roll call, carried.

PRIVILEGE OF THE FLOOR:

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

Mr. Nelson Acquilano, representative from the Council of Alcoholism and Addiction of the Finger Lakes, distributed brochures and addressed the board with concerns regarding the Board's proposed resolution to support the Wilmot Casino in the Town of Tyre, Seneca County.

PROCLAMATIONS:

On behalf of the Wayne County Board, Supervisor Groat read two proclamations, entitled:

- *Kick Butts Day - March 19, 2014*
- *National Public Health Week - April 7-13, 2014*

Supervisor LeRoy continued with a Proclamation entitled:

- *National Public Safety Telecommunicators Week - April 13-29, 2014*

Sheriff Virts, along with Public Safety Committee Chairman Steve LeRoy, presented a Certificate of Achievement to Sgt. Richard Morrison for recognition as the New York Sheriffs' 2014 Crime Victim Notification Coordinator of the Year.

Supervisors Laurie Crane and Jim Hoffman presented a Certificate of Appreciation to

- *Town of Williamson Historian, Chester "Chet" Peters*

- *Agricultural and Farmland Protection Board.*

Ora Rothfuss, Agricultural Development Specialist for the Wayne County Planning Department, along with Supervisor Dave Spickerman, Chairman of the Economic and Planning Committee and Bob McNary, Director of Economic and Planning Department, collectively, presented Proclamations of Appreciation to Elizabeth Henderson, Larry Arliss and John Crane for their years of dedication for serving as members of the Agricultural and Farmland Protection Board.

- *2013 Conservation Farm of the Year*
- *2013 Agricultural Environmental Steward of the Year.*

Catherine Comfort and Ronald Thorn took this opportunity to present awards sponsored by the Wayne County Soil & Water Conservation District for 2013 Conservation Farm of the Year and 2013 Agricultural Environmental Steward of the Year.

RECESS

Chairman Hoffman requested a ten minute recess at 7:41 p.m.

REGULAR SESSION

The Board resumed regular session at 7:51 p.m.

RESOLUTION NO. 160-14: AUTHORIZATION TO EXECUTE CONTRACTS FOR THE 2014 WAYNE COUNTY FAIR

Ms. Park presented the following:

WHEREAS, several Wayne County Departments have requested to rent booths for participation in presentations at the Wayne County Fair scheduled for August 11-16, 2014; and

WHEREAS, the cost for each booth space is \$170 with the additional charge of \$5 each for the necessary passes for workers; now, therefore, be it

RESOLVED, that subject to Standing Committee approval, the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute contracts on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Union Agricultural Society at Palmyra for rental of booths for the following County Departments for the 2014 Wayne County Fair:

- | | | |
|------------------------------------|----------|----------|
| • Wayne County Tourism | 1 Booth | \$170.00 |
| • Wayne County Nursing Home | 1 Booth | \$170.00 |
| • Wayne County Public Health Dept. | 2 Booths | \$340.00 |
| • Wayne County Mental Health Dept. | 1 Booth | \$170.00 |
| • Wayne County Board of Elections | 2 Booths | \$340.00 |

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

RESOLUTION NO. 161-14: AUTHORIZATION FOR THE CHAIRMAN OF THE BOARD TO SIGN RENEWAL CONTRACT WITH TYLER TECHNOLOGIES FOR MUNIS SOFTWARE & FOR OPERATING SYSTEM & DATABASE ADMINISTRATION SUPPORT

Ms. Park presented the following:

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

WHEREAS, the maintenance comes up for renewal on an annual basis on March 17th; 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:

1. MUNIS software for the contract period from starting March 17, 2014 to March 16, 2015 at a cost not to exceed \$147,850.39
2. Operating System and Database Administration contract period from starting March 17, 2014 to March 16, 2015 at a cost not to exceed \$30,000.

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

RESOLUTION NO. 162-14: AUTHORIZATION TO MOVE 2014 BUDGET APPROPRIATIONS TO IMPROVE CONSISTENT ACCOUNT CODING BY DEPARTMENTS

Ms. Park presented the following:

WHEREAS, that during recent review of the Wayne County Chart of Accounts, it has been observed that different departments charge different account numbers for similar expenses, and

WHEREAS, that a consistent account numbering scheme used by all County departments for similar expenses will improve the ability to review those expenses in the aggregate across all County departments, and

WHEREAS, that during the 2014 budget preparation process, an initiative to improve consistency in the account numbering scheme across all departments had been implemented; and

WHEREAS, that recent review has determined that, car expenses, and staff in-service training expenses, are recorded in different account numbers by different departments; and

WHEREAS, that Wayne County is desirous in using the 54114 Car Expense account for car related expenses, and the 54483 Training-Seminars-Schools account for In-service related

expenses, and

WHEREAS, that budget adjustments are necessary to move car and in-service related appropriations to the proper accounts, now, therefore be it

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

A4011 Public Health Service

(Appropriations)

| | | | |
|----------|------|-------------------|-------------------|
| \$2,500 | From | 54616 Car Expense | PHS Public Health |
| Services | | | |
| \$2,500 | To | 54114 Car Expense | PHS Public Health |
| Services | | | |

A4016 PH – Early Intervention 0-1

(Appropriations)

| | | |
|---------|------|-------------------|
| \$4,500 | From | 54616 Car Expense |
| \$4,500 | To | 54114 Car Expense |

A4018 Public Health Education

(Appropriations)

| | | |
|---------|------|-------------------|
| \$1,000 | From | 54616 Car Expense |
| \$1,000 | To | 54114 Car Expense |

E6000 Nursing Home

(Appropriations)

| | | | |
|-------------------------|------|---------------------------------|------------------|
| \$10,000 | From | 54880 In-service | E6010 Nursing |
| Administration | | | |
| \$400 | From | 54880 In-service | E7260 Activities |
| \$700 | From | 54880 In-service | E7380 Social |
| Services | | | |
| \$200 | From | 54880 In-service | E7390 Medical |
| Records | | | |
| \$748 | From | 54880 In-service | E8210 Dietary |
| \$1,010 | From | 54880 In-service | E8220 Plant |
| Operation & Maint | | | |
| \$2,000 | From | 54880 In-service | E8310 Fiscal |
| Service | | | |
| \$500 | From | 54880 In-service | E8321 Admissions |
| \$2,000 | From | 54880 In-service | E8350 |
| Administrative Services | | | |
| \$10,000 | To | 54483 Training-Seminars-Schools | E6010 Nursing |
| Administration | | | |
| \$400 | To | 54483 Training-Seminars-Schools | E7260 Activities |
| \$700 | To | 54483 Training-Seminars-Schools | E7380 Social |
| Services | | | |
| \$200 | To | 54483 Training-Seminars-Schools | E7390 Medical |
| Records | | | |
| \$748 | To | 54483 Training-Seminars-Schools | E8210 Dietary |
| \$1,010 | To | 54483 Training-Seminars-Schools | E8220 Plant |
| Operation & Maint | | | |
| \$2,000 | To | 54483 Training-Seminars-Schools | E8310 Fiscal |
| Service | | | |
| \$500 | To | 54483 Training-Seminars-Schools | E8321 Admissions |
| \$2,000 | To | 54483 Training-Seminars-Schools | E8350 |
| Administrative Services | | | |

Mrs. Marini moved the adoption of the resolution. Seconded by Mr. Kolczynski. Upon roll

call, adopted.

RESOLUTION NO. 163-14: AUTHORIZATION TO HIRE EXPERT APPRAISER IN CONNECTION WITH THE NEGOTIATION OF A PILOT (PAYMENT IN LIEU OF TAXES) AGREEMENT WITH THE GINNA NUCLEAR POWER PLANT

Ms. Park presented the following:

WHEREAS, the Wayne County Board of Supervisors has heretofore passed a Resolution (Resolution No. 147-14) Authorizing the Chairman of the Board of Supervisors to execute a Retainer Agreement with Hacker Murphy, LLP to represent the County of Wayne, jointly with the Town of Ontario and the Wayne Central School District in negotiating a PILOT (Payment in Lieu of Taxes) Agreement with the Ginna Nuclear Power Plant; and

WHEREAS, the Wayne County Board of Supervisors has also heretofore passed a Resolution (Resolution No. 146-14) Authorizing the Chairman of the Board of Supervisors to execute an Intermunicipal Agreement with the Town of Ontario and Wayne Central School District to share attorney fees and litigation costs incurred in negotiating a PILOT Agreement with the Ginna Nuclear Power Plant; and

WHEREAS, Hacker Murphy, LLP has requested authorization to hire the services of an expert appraiser for the purpose of establishing a financial value of the Ginna Nuclear Power Plant, and has further indicated that such expert services are reasonable and necessary in the process of negotiating a PILOT Agreement with the Ginna Nuclear Power Plant; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes Hacker Murphy, LLP to hire George E. Sansoucy, P.E., LLC to conduct an appraisal of the Ginna Nuclear Power Plant, on behalf of the County of Wayne, the Town of Ontario and the Wayne Central School District, with the costs of said services to be shared between the three taxing entities in accordance with the terms of the Intermunicipal Agreement by and between the Town of Ontario, the County of Wayne and the Wayne Central School District dated February 24, 2014.

Mr. Smith moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, adopted.

RESOLUTION NO. 164-14: AUTHORIZATION TO MODIFY THE 2014 COUNTY BUDGET FOR AUDITOR'S TUITION REIMBURSEMENT ACCOUNT AND TRAINING COST

Ms. Park presented the following:

WHEREAS, the County Auditor had budgeted Tuition Reimbursement for the Internal Audit Clerk; and

WHEREAS, the Internal Audit Clerk has notified the County Auditor she does not intend to utilize the Tuition Reimbursement employee benefit; and

WHEREAS, the County Auditor has identified the Association of Local Government Auditors (ALGA) Annual Conference as a beneficial training opportunity, but sufficient funds are not currently budgeted to allow for the attendance of this conference; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2014 County Budget as follows:

A13204 County Auditor

(appropriations)

\$1,000.00 from .54572 Tuition Reimbursement

\$558.00 to .54485 Travel

\$92.00 to .54514 Meals / Per Diem

\$350.00 to .54410 Conference

Mrs. Marini moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 165-14: AUTHORIZATION TO AMEND COUNTY BUDGET FOR GINNA PILOT NEGOTIATION COSTS

Ms. Park presented the following:

WHEREAS, Wayne County, the Town of Ontario, and the Wayne Central School District are in the process of preparing to negotiate a PILOT agreement for the R.E. Ginna Nuclear Power Plant; and

WHEREAS, the County has agreed to share the costs of the preparation and negotiation equally with the Town of Ontario and with the Wayne Central School District; and

WHEREAS, it is necessary to provide funds for the preparation and negotiation process; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors authorizes the County Treasurer to make the following budget adjustment:

A1990 Contingent Fund General

(appropriations)

\$30,000 from .54000 Contractual Services

A1420 County Attorney

(appropriations)

\$30,000 to .54000 Contractual Services

Mr. Smith moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 166-14: AUTHORIZING PAYMENT OF SETTLEMENT

Ms. Park presented the following:

WHEREAS, a Notice of Claim was served upon the County for an incident that occurred on August 6, 2012 at the Wayne County Clerk's Office; and

WHEREAS, the parties are desirous of settling said claim for a total amount of Sixty Five Thousand and 00/100 (\$65,000.00); now therefore be it

RESOLVED, that the claim has been settled and payment is hereby approved; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized to transfer \$65,000 from the General Fund Liability and Casualty Reserve (A3863) and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2014 budget as follows:

A3863 General Fund Liability & Casualty Reserve

\$65,000

A1930 Judgment & Claims

\$65,000 to .54000 Contracted Expenses

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

RESOLUTION NO. 167-14: TAX REFUND – ERROR ON TAX ROLL

Ms. Park presented the following:

WHEREAS, applications for refund of real property tax claimed to be attributable to an error on the tax roll has duly been filed with the Director of Real Property Tax Services ("Director") for the properties listed below, pursuant to the provisions of Article Five, Title 3 of the Real Property Tax Law; and

WHEREAS, the Director investigated the circumstances of the claimed errors and has submitted a report recommending the applications be approved; now, therefore, be it

RESOLVED, pursuant to Article 5, Title 3 of the Real Property Tax Law that the following applications are hereby approved and the County Treasurer is hereby authorized and directed to pay the refunds:

TOWN OF ARCADIA

2014 Tax Roll

Account No. 67112-00-479747

Assessed to: Taggerty, Kelly M

Total Tax Difference: \$87.91 Total County Tax Difference: \$0.00
Refund: \$87.91

2014 Tax Roll
Account No. 67112-00-547521
Assessed to: Michalke, Mathew J & Steven P
Total Tax Difference: \$87.91 Total County Tax Difference: \$0.00
Refund: \$87.91

2014 Tax Roll
Account No. 67112-00-580499
Assessed to: Perry, Amy
Total Tax Difference: \$87.91 Total County Tax Difference: \$0.00
Refund: \$87.91

2014 Tax Roll
Account No. 67112-00-721144
Assessed to: Collins, David F & Nancy M
Total Tax Difference: \$87.91 Total County Tax Difference: \$0.00
Refund: \$87.91

2014 Tax Roll
Account No. 67112-00-655227
Assessed to: Nichols, William F & Donna M
Total Tax Difference: \$87.91 Total County Tax Difference: \$0.00
Refund: \$87.91

2014 Tax Roll
Account No. 67112-00-542491
Assessed to: Berrios, John
Total Tax Difference: \$87.91 Total County Tax Difference: \$0.00
Refund: \$87.91

2014 Tax Roll
Account No. 67112-14-351481
Assessed to: Suwyn, Raymond & Janice
Total Tax Difference: \$0.00
Total Tax Difference: \$88.79
Refund: \$88.79

and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to charge back the refunds in the manner prescribed by Section 556 of the Real Property Tax Law.

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

RESOLUTION NO. 168-14: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION)

Ms. Park presented the following:

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

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

WHEREAS, the County tax levy is, therefore, affected by any court ordered or stipulated

reduction in assessed valuation; and

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

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

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

RESOLVED, that the County of Wayne will participate in providing financial assistance for litigation challenges of real property tax assessments per the provisions of Resolution No. 307-10 for the following Town and their respective petition:

| TOWN | Property Owner | Parcel ID# | Index #(s) |
|---------|--------------------------|-----------------|----------------------------------|
| Ontario | Tractor Supply Co. #1119 | 61117-00-657612 | 71345(2010/11) 73134(2011/12) |

Mrs. Marini moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 169-14: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS

Ms. Park presented the following:

WHEREAS, applications for correction of tax rolls in relation to parcels of property identified below have been filed with the Director of Real Property Tax Services ("Director"); and

WHEREAS, the Director investigated the circumstances of the claimed errors on the tax rolls and recommends that the applications be approved; now, therefore, be it

RESOLVED, pursuant to Article 5, Title 3 of the Real Property Tax Law, the applications are approved and the officers having jurisdiction of the tax rolls are hereby authorized to make the following corrections:

TOWN OF ARCADIA

| | | |
|----------------------|------------------|--------------------------------------|
| 2014 Tax Roll | | |
| Account No. | 67112-10-324505 | |
| Assessed to: | Schommer, Doreen | |
| Total Tax Difference | \$87.91 | Total County Tax Difference: \$ 0.00 |
| Corrected Total Tax: | \$1,442.60 | |

and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to charge back the refunds in the manner prescribed by Section 556 of the Real Property Tax Law.

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

RESOLUTION NO. 170-14: RESOLUTION CALLING ON NEW YORK STATE LEGISLATURE TO REJECT GOVERNOR CUOMO'S PLANS TO REWARD PRISON INMATES BY PROVIDING THEM WITH COLLEGE EDUCATIONS AT TAXPAYER EXPENSE

Ms. Park presented the following:

WHEREAS, the purpose of prison is to punish those who have engaged in behavior that is illegal, dangerous, and threatening, including; murder, rape, theft, the distribution of narcotics, among other serious crimes; and

WHEREAS, Governor Andrew M. Cuomo did, on February 16, 2014, propose providing State prisoners taxpayer-funded college tuition, a benefit unavailable to the children of the productive, law-abiding taxpayers who will be forced to finance this ill-considered scheme; and

WHEREAS, Governor Cuomo expressed no concern for the educational opportunities lost by many of the victims of the hardened criminals he wishes to treat as valued members of society, most notably those who were murdered by such criminals; and

WHEREAS, Governor Cuomo has estimated the cost of his program at \$5,000 per inmate, an obscene sum when contemplated as a reward for society's worst members or relative to our own community college tuition of \$3,834.00; and

WHEREAS, the Wayne County Board of Supervisors endorses the notion that prison is punishment, and society should not be further victimized by a forced funding of inmate higher education so elusive to contributing citizens; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors considers Governor Cuomo's proposal an insult to the law-abiding taxpayers of this county; and be it further

RESOLVED, that the Wayne County Board of Supervisors does hereby call upon its representatives in, and the leadership of, the New York State Senate and Assembly to reject this proposal; and be it further

RESOLVED, that Wayne County shall forward copies of this resolution to Governor Cuomo, U.S. State Senator Michael Nozzolio, State Assemblyman Robert Oaks, Speaker of the Assembly Sheldon Silver, Inter County Association of Western New York, NYSAC, and all others deemed necessary and proper.

Mr. Smith moved the adoption of the resolution. Seconded by Mr. LeRoy.

Mr. Manktelow addressed the Board to request their support for this proposed resolution to **oppose** rewarding prison inmates with a free college education.

Upon roll call, adopted.

RESOLUTION NO. 171-14: AUTHORIZATION TO PURCHASE EQUIPMENT PURSUANT TO THE TERMS OF A THREE YEAR GRANT BETWEEN WAYNE COUNTY AND NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES. CONTRACT NUMBER C000354 COVERING THE TERM OF JUNE 1, 2013 THROUGH MAY 31, 2016.

Mr. LeRoy presented the following:

WHEREAS, pursuant to Wayne County Resolution No. 432-13, the Wayne County Public Defender's Office was authorized to pursue funding from the New York State Office of Indigent Legal Services for funding to upgrade the informational technology equipment used by the Public Defender's Office over a term of three years, at no cost to Wayne County for the purchase of the technological equipment; and

WHEREAS, pursuant to Contract C000354 between New York State Office of Indigent Legal Services and Wayne County, a grant has been awarded to Wayne County in the sum of \$247,713, for a three year term from June 1, 2013 through May 31, 2016; and

WHEREAS, pursuant to the provisions and funding provided under said Contract C000354, the Wayne County Public Defender is granted the sum of \$7,571 annually during said three year period to purchase technological upgrades, software and equipment; now therefore, be it

RESOLVED, that the Wayne County Public Defender is hereby authorized to purchase through the assistance of the Wayne County Information and Technology Department, the following equipment at a sum not to exceed \$15,142 for the 2013 and 2014 grant period as contained in the adopted 2014 Wayne County Budget:

- 5 - Personal Computers and
- 4 - Laptops
- 1 - Color Printer
- 4 - Sets of mice and key boards
- 14 - Licenses of Microsoft Office 2013

5 - Black and white printers

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

RESOLUTION NO. 172-14: AUTHORIZATION TO AMEND DISTRICT ATTORNEY'S 2014 BUDGET FOR COMPUTER EQUIPMENT PURCHASE

Mr. LeRoy presented the following:

WHEREAS, the 2014 Wayne County Budget contains funds in the District Attorneys Computer Equipment account, for electronic equipment funded with grant monies; and

WHEREAS, the District Attorney is in need of a laptop computer; and

WHEREAS, the amount remaining in the 2014 budget for computer equipment is \$552.95 and the laptop will cost \$799.00, there is a difference of \$246.05; now, therefore, be it

RESOLVED, that the Wayne County Treasurer's Office is hereby authorized to amend the 2014 County Budget as follows:

A1165 District Attorney

(Appropriations)

\$246.05 from 54500 Fees for Services

\$246.05 to 52201 Computer Equipment

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

RESOLUTION NO. 173-14: AUTHORIZATION TO APPLY FOR 2013-2014 PUBLIC SAFETY ANSWERING POINTS (PSAP) GRANT FOR THE EMERGENCY MANAGEMENT OFFICE

Mr. LeRoy presented the following:

WHEREAS, Wayne County is eligible to apply for up to \$100,000 in funding for the 2013-2014 PSAP Grant program; and

WHEREAS, the application period for the grant is until April 24, 2014; and

WHEREAS, Wayne County is desirous of participating in this grant program to purchased needed equipment; and

WHEREAS, this grant allows for the purchase of the same at no cost to Wayne County; now, therefore, be it

RESOLVED, that the Director of Emergency Management or his designee is authorized to apply for the 2013-2014 Public Safety Answering Points (PSAP) Grant.

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

RESOLUTION NO. 174-14: AUTHORIZATION TO PURCHASE 911 DISPATCH CONSOLE RADIO ELECTRONICS AND AMEND THE 2014 COUNTY BUDGET

Mr. LeRoy presented the following:

WHEREAS, the current radio electronics system located in the 911 center was installed in 1997 by Furman Communications of Savannah, with said system manufactured by Zetron, Inc. of Redmond WA, and

WHEREAS, the system and its software are in need of replacement from a technology and reliability standpoint, and

WHEREAS, the replacement of the dispatch electronics is also necessary to allow for operation of the emergency radio signaling and radio identifier system that is being implemented for the mobile and portable radios as part of the public safety radio interoperability system, and

WHEREAS, the replacement system manufactured and marketed by Zetron is currently available to be purchased and installed under New York State municipal purchasing contract PT64776, and

WHEREAS, Resolution 677-12 authorized the application for a FY2012 Public Safety Answering Point grant program, and Wayne County was one of four counties to receive the maximum grant award percentage of 49.5% of the amount requested, for an amount of

\$193,783; and

WHEREAS, Resolution 403-13 authorized acceptance of said reduced grant amount; now, therefore, be it

RESOLVED, that the current Zetron 911 dispatch radio system shall be replaced with the Zetron Max IP based telecommunications console system, purchased utilizing New York State municipal purchasing contract PT64776, from Zetron, Inc., of Redmond WA, at a purchase and installation cost not to exceed \$209,993, to include the option of Software Services, plus \$4000 for the purchase of display mounting equipment and blank panel systems for the console furniture, with complete project installation to be accomplished by Furman Communications, Inc. of Savannah, NY, as part of the Zetron contract; and be it further

RESOLVED, that the purchase of one Spectracom GP951M-94, model 9483 GPS Master Clock server, with Ethernet ports option, from Spectracom, Orolia USA of Rochester, be authorized, which provides the time source for the Zetron system, and interfaces with the existing 911 Spectracom timing equipment, at a cost not to exceed \$8118, for a total project equipment and installation cost not to exceed \$218,111, and be it further

RESOLVED that the Treasurer is authorized to amend the 2014 County Budget as follows:

A1990 – Contingency General Fund

(appropriations)

\$19,235 from 54000 Contractual Expenses

A9950 – Transfer to Capital Fund Projects

(appropriations)

\$19,235 to 52777-P2 Radio Interoperability Project-Phase 2

H1934 – Radio Interoperability Project

(revenues)

\$19,235 to 45031-P2 Interfund Transfers-Phase 2

(appropriations)

\$19,235 to 52000-COCST Equipment & Other Cap Outlay – County Cost

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

RESOLUTION NO. 175-14: AUTHORIZATION TO ACCEPT BID FOR FIREFIGHTING FOAM TRAILER AND AMEND BUDGET

Mr. LeRoy presented the following:

WHEREAS, pursuant to Resolution 653-13, the Clerk of the Board of Supervisors has duly advertised for bids for the purchase of a Firefight Foam Trailer; and

WHEREAS, bids were publicly opened on **Friday, January 24, 2014, at 2:00 p.m.** and the following bids were received:

| Bidder Address | and | Base Amount | Bid | Omitted Items | Required Options | Suggested Option | Total |
|--|---------|-------------|----------|---------------|------------------|------------------|----------|
| Tyler Equipment, LLC. PO Box 4037 703 Erie Street Elmira, NY 14904 | Fire | | \$67,525 | \$12,156 | \$14,971 | \$0 | \$94,652 |
| Combat Support Products, Inc. 3736 Rawls Church Road Fuquay-Varina, NC 27526 | Support | | \$84,750 | \$0 | \$0 | \$1,500 | \$86,250 |

and

WHEREAS, the bids have been reviewed by the County Attorney, the Director of Emergency Management Services and Deputy Fire Coordinators Newman and Roder; and

WHEREAS, the Tyler bid was found to be non-compliant due to required items being omitted; and

WHEREAS, Combat Support Products recommended a monitor nozzle that will increase the versatility of the Firefighting Foam Trailer with an associated price increase of \$1500; and

WHEREAS, this project is 100% grant funded with no local match required; now, therefore, be it

RESOLVED, pursuant to recommendation, the Wayne County Board of Supervisors hereby accepts the bid submitted by Combat Support Products, Inc., with the recommended option; and be it further

RESOLVED, that the Chairman of the Board is hereby authorized to execute an amendment to the 2012 Homeland Security Grant Program contract with the State of New York; and be it further

RESOLVED, that the Chairman of the Board is hereby authorized to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Combat Support Products, Inc., at a cost of \$86,250; and be it further

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

H3916-Homelandsecurity SH11 1048 E00

(Appropriations)

| Amount | Object# | Project ID | Object Name |
|-------------|---------|------------|------------------------------|
| Description | | | |
| 6,250 from | 54400 | EMO | Contracted Services |
| Development | | | Map Layer |
| 6,250 to | 52000 | FIRE | Equipment & Other Cap Outlay |
| Trailer | | | Fire Suppression Foam |

Mr. Colacino moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, adopted.

RESOLUTION NO. 176-14: AUTHORIZE TECHNICAL DECONTAMINATION AND HAZARD ASSESSMENT TEAM APPOINTMENTS

Mr. LeRoy presented the following:

WHEREAS, the Technical Decontamination and Assessment Team was established pursuant to Resolution No. 490-06; now, therefore, be it

RESOLVED, upon recommendation of the Wayne County Fire Coordinator and the Director of Emergency Management, the following appointments are hereby terminated:

Clyde Smith, Wolcott
Joe Tavano, Jr. Clyde

and be it further

RESOLVED, that the following individuals are hereby appointments to the Technical Decontamination and Assessment Team:

Scott Kolczynski, Town of Savannah
Patty Wigfield, Town of Rose
Jim Lee, Town of Galen
Mitchell Checho, Town of Rose

and be it further

RESOLVED, that George Bastedo will move from Team Member to Ad Hoc Member under the Office of Emergency Management.

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

RESOLUTION NO. 177-14: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH KRENZER MARINE FOR FREE BOAT SPACE RENTAL

Mr. LeRoy presented the following:

WHEREAS, The Wayne County Sheriff has been offered donated boat space dockage for the Sheriff's Office Marine Patrol's 27 foot Boston Whaler vessel, for the 2014 boating season, by Krenzer Marine, Sodus Point, NY; and

WHEREAS, Krenzer Marine, Sodus Point, NY, has provided donated boat space dockage to the Sheriff's Office for the Marine Patrol's Boston Whaler vessel since 2011; and

WHEREAS, the Sheriff is requesting permission to enter into an agreement with Krenzer Marine, Sodus Point, NY for donated boat space dockage, for the Marine Patrol's 27 foot Boston Whaler vessel, from April 1, 2014 to October 31, 2014, at no cost to County taxpayers; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to enter into an agreement with Krenzer Marine, Sodus Point, NY, for donated boat space dockage for the Marine Patrol's 27 foot Boston Whaler vessel, from April 1, 2014 to October 31, 2014, at no cost to County taxpayers, upon review and approval of the County Attorney.

Ms. Park moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 178-14: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH ONTARIO COUNTY FOR THE HOUSING OF INMATES

Mr. LeRoy presented the following:

WHEREAS, Wayne County has had a verbal agreement with Ontario County for the housing of Wayne County jail inmates in the Ontario County Jail for several years; and

WHEREAS, the Sheriff is requesting that Wayne County enter into a formal agreement with Ontario County for the housing of Wayne County Jail inmates in the Ontario County Jail, at a rate of \$85.00 per day, per inmate, through December 31, 2015; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and the Sheriff are hereby authorized to enter into an agreement with Ontario County for the housing of Wayne County jail inmates in the Ontario County Jail, at a rate of \$85.00 per inmate, per day, through December 31, 2015, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 179-14: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH SECURITRONICS FOR SERVICE ON THE JAIL CAMERA SYSTEM

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Sheriff's Office in 2009 purchased and installed a closed circuit camera system for the jail facility (Resolution No. 448-09); and

WHEREAS, *Securitronics* was the system vendor; and

WHEREAS, in 2010 addition cameras were added to the system (Resolution No. 454-10); and

WHEREAS, the current service agreement expired December 31, 2013, and in order to receive preventative maintenance and software upgrades, a new service agreement needs to be entered into with *Securitronics*; and

WHEREAS, the service agreement time period will commence upon approval of the Board of Supervisors through December 31, 2015; and

WHEREAS, the cost of said service agreement will be \$18,340.00, with half the cost, 9,170.00, being paid with Jail revenue funds; and

WHEREAS, the Sheriff is requesting authorization to enter into a service agreement with *Securitronics* for a time period to commence upon approval of the Board of Supervisors through December 31, 2015, at a total cost of \$18,340.00, with half the cost, \$9,170.00, being paid with Jail revenue funds; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to enter into a service agreement with

Securitronics for the Jail camera system, for a time period to commence upon approval of the Board of Supervisors and *Securitronics*, at a cost not to exceed \$18,340.00, with half the cost, \$9,170.00, being paid with Jail revenue funds, upon review and approval by the County Attorney.

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

RESOLUTION NO. 180-14: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE ROCHESTER/MONROE COUNTY HOMELESS CONTINUUM OF CARE HOMELESS MANAGEMENT INFORMATION SYSTEM

Mr. LeRoy presented the following:

WHEREAS, the Rochester/Monroe County Homeless Continuum of Care (RMCHCoC) Homeless Management Information System (HMIS) is a system which maintains information regarding the characteristics and service needs of clients for a variety of reasons, including the provision of more effective and streamlined services to clients and the creation of information which communities can use to determine the use and effectiveness of services; and

WHEREAS, the Sheriff is requesting to enter into an agreement with RMCHCoC's HMIS, as a partner agency, for the ability to share jail inmate information with other partner agencies for the benefit of jail inmates upon their release from the Wayne County Jail; and

WHEREAS, said information would be entered to the RMCHCoC HMIS only upon written consent of the inmate and would be used to assist other partner agencies in providing inmates with services upon their release from the Wayne County Jail; and

WHEREAS, there is no cost to the County to be a partner agency of the RMCHCoC's HMIS; now therefore, be it

RESOLVED, that the Sheriff and the Chairman of the Board of Supervisors are hereby authorized to enter into an agreement with the Rochester/Monroe County Homeless Continuum of Care's Homeless Management Information System, for a time period commencing upon approval of the Board of Supervisors and remaining in force until terminated by either party with 30 day notice, at no cost to the county and upon review and approval of the County Attorney.

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

RESOLUTION NO. 181-14: RESOLUTION IN SUPPORT OF STATEWIDE INDIGENT DEFENSE LEGAL SYSTEM AND SETTLEMENT OF HURRELL-HARRING ET AL. V. STATE OF NEW YORK

Mr. LeRoy presented the following:

WHEREAS, in 1963 the United States Supreme Court held in *Gideon v. Wainwright* that the right to counsel for one charged with crime is fundamental and that states need to supply lawyers for those unable to afford them; and

WHEREAS, in 1965 the State of New York delegated this state responsibility to counties; and

WHEREAS, the decision to entrench responsibility at the county level within the State of New York has resulted in the inefficient patchwork of services provided at the county level which are different county-to-county; and

WHEREAS, implementation of the Constitutional right to counsel under *Gideon* is a state, not county, obligation; and

WHEREAS, public defense services are inadequately financed by the State of New York; and

WHEREAS, in 2006 the Kaye Commission on the Future of Indigent Defense Services declared the New York State System of County-Delivered Indigent Services in crisis and urged the expeditious establishment of an Independent Public Defense Commission overseeing a state-funded, statewide defender system; and

WHEREAS, the State of New York is now a defendant in *Hurrell-Harring, et. al. v State*

of New York, a systematic lawsuit similar to many that have been successful across the country seeking to transform the indigent defense system into a statewide defender system; and

WHEREAS, Governor Cuomo is in a position to be a powerful, persuasive, and moving voice for the creation of statewide defender system; and

WHEREAS, Governor Cuomo can fix the public defense system, incrementally develop a state funded model for the nation, design a cost-effective way to finance that system over time, and relieve counties of a responsibility originally delegated to them in 1965; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors supports the transformation of the current County provided indigent defense system into a New York statewide defender system and calls upon the State of New York and Governor Cuomo to settle the pending litigation of Hurrell-Harring, et. al. v. State of New York, and be it further

RESOLVED, that the Clerk of Board of Supervisors is hereby authorized and directed to send a copy of this resolution to Governor Andrew Cuomo, Senator Michael F. Nozzolio, Assemblyman Robert C. Oaks, New York State Defenders' Association, New York State Office of Indigent Legal Services, New York State Association of Counties, and all counties in New York State.

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

RESOLUTION NO. 182-14: AUTHORIZATION TO CURTAIL UTILIZING THE COUNTY SCALE TEST TRUCK FOR VEHICLE SCALES EFFECTIVE OCTOBER 31, 2014 AND AUTHORIZING SOLICITING PROPOSALS FOR THE SALE OF THE SCALE TEST TRUCK AT THE CONCLUSION OF THE 2014 TEST CYCLE

Mr. Miller presented the following:

WHEREAS, the County currently uses a 1963 cable lift on a 1994 Ford Truck to conduct tests of vehicle scales within the County; and

WHEREAS, the test service can be performed by private companies that are hired by the scale owner with all tests supervised by the Director of Weights and Measures; and

WHEREAS, the change in this service will only impact a small portion of the device owners, because most already use an independent scale company for testing; and

WHEREAS, The Weights and Measures vehicle scale test truck will no longer be needed after the 2014 scale test cycle is complete, because of this change; and

WHEREAS, the scale owners currently utilizing the service performed by the County will be notified prior to the 2014 testing cycle that this service will be discontinued in 2015; and

WHEREAS, scale companies that test vehicle scales all have a weight cart, which the County does not currently own, and a weight cart is the best way to check section and side to side errors; and

WHEREAS, the future costs of certification, owning, and maintaining a 1963 cable lift on a 1994 Ford truck is not reasonable given the small number of vehicle scales tested by the County; and

WHEREAS, at the end of the vehicle scale tests for 2014 calendar year the 26 - 1000lb weights, 2 - 500lb weights and 1994 Ford flatbed truck with 1963 cable lift will no longer be needed and are declared surplus; now therefor be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the suspension of the use of the Wayne County scale test truck at the conclusion of the last vehicle scale check of 2014 or October 31, 2014 whichever occurs first; and be it further

RESOLVED, that twenty-six - 1000lbs. weights, two 2 - 500 lbs. weights and the 1994 ford flatbed truck with a 1963 cable lift is hereby declared surplus at the conclusion of vehicle scale tests for 2014 ; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Director of Weights and Measures to solicit proposals for the sale of twenty-six - 1000 lbs. weights, two—500 lbs. weights, and the 1994 Ford flatbed truck with a 1963 cable lift Scale

Test Truck in 'as is' condition as soon as the 2014 vehicle scale test cycle has ended.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 183-14: AUTHORIZATION TO INSTALL PANIC ALARM SYSTEM ON THE SECOND FLOOR OF 9 PEARL STREET

Mr. Miller presented the following:

WHEREAS, there is a concern about employee safety on the 2nd floor of 9 Pearl Street and it has been recommended that the installation of panic devices be done in those offices; and

WHEREAS, the first floor of 9 Pearl St. currently has a panic system installed and monitored by Finger Lakes Security System; and

WHEREAS the Deputy Superintendent of Public Work has received a proposal from Finger Lakes Security to add an additional 10 panic button to the existing system for the price of \$2,788.88 and a \$5.25 increase to the monthly monitoring charge; now, therefore, be it

RESOLVED, that the Superintendent of Public Works is hereby authorized to purchase panic alarm systems for the second floor of 9 Pearl St. from Finger Lakes Security Systems at a total cost of \$ 2,788.88 and an increase of \$ 5.25 in monthly monitoring charges.

Mr. Smith moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, adopted.

RESOLUTION NO. 184-14: AUTHORIZATION TO APPROVE 2014 HIGHWAY CONSTRUCTION AND SUPPLEMENTAL PROJECT STATEMENTS AND APPROPRIATE FUNDS

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:

| | |
|--|-----------|
| 14-35 Culvert Replacement Project | \$204,000 |
| 14-39 Ridge Chapel Culvert Replacement Project | \$145,000 |
| 14-40 Surface Treatment Project | \$280,000 |
| 14-41 Rose Hamlet Drainage Project | \$ 30,000 |
| 14-42 Wayne Center Rose/Covell Rd Intersection Project | \$120,000 |
| 14-43 Lyons Marengo/Reinfleisch Rd Intersection Project | \$ 60,000 |
| 14-45 Lake Road Milling & Paving Project | \$175,000 |
| 14-46 County House Rd Project | \$ 50,000 |
| 14-50 Ridge Rd – Alton Hamlet Project | \$120,000 |
| 14-55 Arcadia-Zurich-Norris Rd Cold In-Place Recycle Proj. | \$ 50,000 |
| 14-56 Arcadia-Zurich-Norris Rd Shoulder & Drainage Project | \$250,000 |
| 14-68 Macedon Center Rd Project | \$250,000 |
| 14-79 Ridge Road - Williamson Hamlet Project | \$ 50,000 |
| 14-92 Johnson Road Drainage Project | \$ 75,000 |
| 14-94 Hot In-Place Recycle Project | \$257,000 |
| 14-95 Misc. Shoulder Safety Project | \$ 35,000 |
| 14-96 Lake Road Milling & Paving Project | \$175,000 |
| 14-61 Bridge Membrane Replacement Project | \$ 17,000 |

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:

\$2,326,000 from D51122.52600 Road Construction – Highway Construction
\$ 17,000 from D51122.52900 Bridge Construction – Highway Construction

| | |
|---------------------------|--|
| \$204,000 to D51122.52635 | Culvert Replacement Project |
| \$145,000 to D51122.52639 | Ridge Chapel Culvert Replacement Project |
| \$280,000 to D51122.52640 | Surface Treatment Project |
| \$ 30,000 to D51122.52641 | Rose Hamlet Drainage Project |
| \$120,000 to D51122.52642 | Wayne Center Rose/Covell Rd Intersection Project |
| \$ 60,000 to D51122.52643 | Lyons Marengo/Reinfleisch Rd Intersection Project |
| \$175,000 to D51122.52645 | Lake Rd Milling & Paving Project |
| \$ 50,000 to D51122.52646 | County House Rd Project |
| \$120,000 to D51122.52650 | Ridge Road – Alton Hamlet Project |
| \$ 50,000 to D51122.52655 | Arcadia-Zurich-Norris Rd Cold In-Place Recycle Project |
| \$250,000 to D51122.52656 | Arcadia-Zurich-Norris Rd. Shoulder & Drainage Project |
| \$250,000 to D51122.52668 | Macedon Center Rd Project |
| \$ 50,000 to D51122.52679 | Ridge Road - Williamson Hamlet Project |
| \$ 75,000 to D51122.52692 | Johnson Rd Drainage Project |
| \$257,000 to D51122.52694 | Hot In-Place Recycle Project |
| \$ 35,000 to D51122.52695 | Misc. Shoulder Safety Project |
| \$175,000 to D51122.52696 | Lake Road Milling & Paving Project |
| \$ 17,000 to D51122.52961 | Bridge Membrane Replacement Project |

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

RESOLUTION NO. 185-14: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH THE NYSDOT FOR CONSTRUCTION COSTS ASSOCIATED WITH THE YELLOW MILLS ROAD BRIDGE PROJECT

Mr. Miller presented the following:

WHEREAS, the original agreement between Wayne County and the NYSDOT only included funds for the design phases of the project in the amount of \$312,000; and

WHEREAS, the bids for the construction of the Yellow Mills Bridge Replacement project were recently opened, and the project will be awarded to Economy Paving; and

WHEREAS, the NYSDOT has authorized the remaining project funds for the right-of-way and construction phase of the project which includes construction, construction inspection and construction administration (Wayne County cost); and

WHEREAS, this supplemental agreement for \$923,000 will be funded with 80% Federal funds, and 20% local share (15% State Marchiselli Funds and a 5% County cost anticipated); now, therefore, be it

RESOLVED that the Wayne County Board of Supervisors hereby agrees to pay in the first instance 100% of the federal and non-federal share of the cost of the Construction Phase work for the Project or portions thereof; and it is 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 NYSDOT for an additional \$923,000.

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 186-14: AUTHORIZATION TO ENTER INTO AGREEMENT WITH AJ LAWNCARE TO PERFORM MOWING IN COUNTY PARKS

Mr. Miller presented the following:

WHEREAS, the Superintendent of Public Works was authorized to prepare bid documents and advertise for bids for mowing services in the County owned Parks, and

WHEREAS, the bids were received and opened on February 27, 2014 with the following results:

BIDDER

| Name and Address | ITEM # 1 | ITEM # 2 | ITEM # 3 |
|------------------|----------|----------|----------|
|------------------|----------|----------|----------|

| | WESTERN PARK GROUP | EASTERN PARK GROUP | WESTERN AND EASTERN PARK GROUPS |
|--|--|--------------------------------------|--|
| | Palmyra Aqueduct Swift's Landing, Norsen Bridge Widewaters, | Lock Berlin Park Black Brook Park | Abbey Park Totaled |
| AJ LAWCARE 6565 Route 14 Sodus Point, NY 14555 | \$16,980 | \$ 6,490 | \$23,470 |
| MICHELSON LAWN AND LANDSCAPE 3261 Sherwood Drive Walworth, NY 14568 | \$ 886.67 | \$ 380 | \$ 1,266.67 |
| Q'S LAWN AND LANDSCAPE 199 State Farm Road Newark, NY 14513 | \$33,000 | \$10,000 | \$42,500 |
| DAVE BURNHAM LAWN SERVICE 14 Franklin Street Lyons, NY 14489 | \$29,250 | \$12,870 | \$42,120 |
| HUTTEMAN LAWN & LANDSCAPE Fairville Station Road Newark, NY 14513 | \$30,500 | \$16,500 | \$46,500 |
| PKV ENTERPRISES 3242 Maple Avenue Walworth, NY 14568 | \$39,500 | \$24,000 | \$59,500 |

and

WHEREAS, Michielson Lawn & Landscaping has withdrawn its bid due to a bidding error; and

WHEREAS, the Superintendent of Public Works has carefully reviewed the bids and checked references on the low bidder, now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an agreement with AJ Lawncare, subject to the County Attorney's approval, for the not-to-exceed amount of \$23,470 for the mowing services in the Wayne County Parks.

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, adopted.

RESOLUTION NO. 187-14: AUTHORIZATION TO ENTER INTO AGREEMENT WITH CHASE ENTERPRISES TO PERFORM ROADSIDE SPRAYING ON COUNTY ROADWAYS

Mr. Miller presented the following:

WHEREAS, the Highway Department has previously hired a contractor to perform roadside spraying on County Roadways; and

WHEREAS, the Superintendent of Public Works has solicited price quotes for this service on the County Roadways and has received the following:

DeAngelo Brothers Incorporated - Hazleton PA \$9,444.00
Chase Enterprises – Oswego NY \$8,890.00

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an agreement with Chase Enterprises, subject to the County Attorney's approval, for the not-to-exceed amount of \$8,890.00.

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

RESOLUTION NO. 188-14: AUTHORIZATION TO ADVERTISE FOR BIDS FOR A MULTI PLATE PIPE ARCH AND AN ALUMINUM BOX CULVERT FOR CULVERT REPLACEMENT PROJECTS

Mr. Miller presented the following:

WHEREAS, the Public Works Department is in the process of replacing two culverts on county highways, one on Ridge Chapel Road in the Town of Williamson and the other on Townline Road in the Town of Williamson; and

WHEREAS, the Ridge Chapel Road culvert will require a 15' 4" x 10' 4" Multi Plate Pipe Arch; and

WHEREAS, the Townline Road culvert will require an Aluminum Box Culvert; and

WHEREAS, the installation work will be done by county forces, now, therefore, be it

RESOLVED, that the Superintendent of Public Works is authorized to prepare specifications for public bid subject to the County Attorney's approval as to form and content; and be it further

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

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, adopted.

RESOLUTION NO. 189-14: AUTHORIZATION TO ENTER INTO A LICENSE AGREEMENT WITH WILLIAMSON CENTRAL SCHOOL TO HOST 4TH ANNUAL JAZZ IN THE PARK BENEFIT CONCERT

Mr. Miller presented the following:

WHEREAS, the Williamson Central School Band Director has requested, again, the use of B. Forman Park for hosting the 4th Annual Jazz in the Park Benefit Concert on Friday, June 13, 2014 from 5-8 p.m.; and

WHEREAS, the School intends to raise money and give all proceeds of this event to Honor Flight Rochester. This organization gives local Veterans the opportunity to visit Washington D.C. to see the memorial constructed in their honor; and

WHEREAS, the School has requested to use the "House" and the lawn directly in front of the area for the event and plans to designate a certain section of the B. Forman Park for this event, without blocking or restricting access for patrons that do not plan on attending the benefit concert; and

WHEREAS, the School intends to charge a suggested donation fee to attend the benefit concert in the designated area of B. Forman Park; and further, is planning on operating a small concession stand during the event in order to meet the goal of sending the Veterans to Washington; and

WHEREAS, the Williamson High School will provide the liability insurance required by Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a license Agreement on Behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with the Williams Central

School, for the purpose of hosting the 3rd. Annual Jazz in the Park Benefit Concert on Friday, June 13th, 2014 in B. Forman Park in Pultneyville.

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

RESOLUTION NO. 190-14: AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE CONSTRUCTION OF GUTTERS FOR THE RIDGE ROAD PROJECT IN THE TOWN OF SODUS

Mr. Miller presented the following:

WHEREAS, the Highway Department will be rehabilitating a portion of Ridge Road in the Hamlet of Alton; and

WHEREAS, there is a need for specialized services associated with the installation of concrete gutters on this project; now, therefore, be it

RESOLVED, that the Superintendent of Public Works is authorized to prepare specifications for public bid subject to the County Attorney's approval as to form and content; and be it further

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

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

RESOLUTION NO. 191-14: AUTHORIZATION TO ESTABLISH A HUMAN RESOURCES RENOVATION PROJECT AND TO AMEND THE 2014 BUDGET

Mr. Miller presented the following:

WHEREAS, the Human Resources department is in need of office renovations to better utilize the space and make the space more inviting to both the public and the County staff; and

WHEREAS, the HR department is currently temporarily relocated out of its space for the asbestos abatement related to the Trane Energy Project; and

WHEREAS it will be advantageous to accomplish these renovation and changes before moving the HR department back into their space; and

WHEREAS, this work will be performed by County forces; and

WHEREAS, that the estimated cost of said renovations is \$27,000; and

WHEREAS, there are funds appropriated in the B Foreman Erosion Control project that will not be needed for that project, and

WHEREAS, the County is desirous in establishing a HR14 - Human Resources Office Renovation project and transferring ~~\$27,000~~ to same project from the Prk01 - B Foreman Erosion Control project; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is authorized to establish a HR14 - Human Resources Office Renovation project account; and, be it further

RESOLVED, that the Wayne County Treasurer is authorized to amend the 2014 County Budget as follows:

H1915 Parks Project

(Appropriations)

| Amount | Object | Project ID | Object Name | Project Name |
|----------|--------|------------|-------------|---|
| \$27,000 | From | 52000 | Prk01 | Equipment & Other Cap Outlay B Foreman Erosion Control |

H1932 Court House Renovations

(Appropriations)

| Amount | Object | Project ID | Object Name | Project Name |
|--------|--------|------------|-------------|--------------|
|--------|--------|------------|-------------|--------------|

\$27,000 To 52000 HR14 Equipment & Other Cap Outlay
Human Resources Office Renovation

Mr. Miller moved to amend the resolution, seconded by Mr. Colacino, to increase the project cost to \$62,000 to accommodate renovations and window replacements for the Human Resources, as follows:

“WHEREAS, that the Human Resources department is in need of office renovations and window replacements to better utilize the space and make the space more inviting to both the public and the County staff; and

WHEREAS, the HR department is currently temporarily relocated out of it space for the asbestos abatement related to the Trane Energy Project; and

WHEREAS it will be advantageous to accomplish these renovation and changes before moving the HR department back into their space; and

WHEREAS, the renovation work will be performed by County forces; and

WHEREAS, that the estimated cost of said renovations and window replacements is \$62,000; and

WHEREAS, there are funds appropriated in the B Forman Erosion Control project that will not be needed for that project, and

WHEREAS, the County is desirous in establishing a HR14 - Human Resources Office Renovation project and transferring \$62,000 to same project from the Prk01 - B Forman Erosion Control project; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is authorized to establish a HR14 - Human Resources Office Renovation project account; and, be it further

RESOLVED, that the Wayne County Treasurer is authorized to amend the 2014 County Budget as follows:

H1915 Parks Project

(Appropriations)

| Amount | Object | Project ID | Object Name | Project Name |
|----------|--------|------------|-------------|--|
| \$62,000 | from | 52000 | Prk01 | Equipment & Other Cap Outlay B Forman Erosion Control |

H1932 Court House Renovations

(Appropriations)

| Amount | Object | Project ID | Object Name | Project Name |
|----------|--------|------------|-------------|--|
| \$62,000 | to | 52000 | HR14 | Equipment & Other Cap Outlay Human Resources Office Renovation” |

Mrs. Marini moved the adoption of the resolution. Seconded by Mr. Manktelow. All Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 192-14: AUTHORIZATION TO ESTABLISH A SCREENING PLANT SCREW PRESS CONVEYOR INSTALL PROJECT AND TO AMEND BUDGET

Mr. Miller presented the following:

WHEREAS, that the Screening Plant located on State Route 31 across from the Wayne County Jail, services all of the Buildings located on the Wayne County Route 31 Campus including the Highway department and Humane Society; and

WHEREAS, the original project had designed a screw press conveyor system installed after the screener to handle disposal of non-organic material that have entered the sewer system from the Nursing Home and Jail Buildings into an onsite dumpster; and

WHEREAS, the screw press conveyor was never installed in the original project; and

WHEREAS, currently the screener setup empties into 55gal trash cans which has to be handled and empty daily by County Personal; and

WHEREAS, the estimated cost of said project is \$85,000; and

WHEREAS, there are funds appropriated in the B Foreman Erosion Control project that will not be needed for that project; and

WHEREAS, the County is desirous in establishing a ScnPI – Screening Plant Conveyor project and transferring \$85,000 to the project from the Prk01 - B Foreman Erosion Control project; and, therefore be it

RESOLVED, that the Wayne County Treasurer is authorized to establish a ScnPI - Screening Plant Conveyor project account; and be it further

RESOLVED, that the Superintendent of Public Works is authorized to advertise for bid for said equipment to be installed at the screening plant; and be it further

RESOLVED, that the Wayne County Treasure is authorized to amend the 2014 County Budget as follows:

H1915 Parks Project

(Appropriations)

| Amount | Object | Project ID | Object Name | Project Name |
|----------|--------|------------|-------------|---|
| \$85,000 | From | 52000 | Prk01 | Equipment & Other Cap Outlay B Foreman Erosion Control |

H1939 Route 31 Complex

(Appropriations)

| Amount | Object | Project ID | Object Name | Project Name |
|----------|--------|------------|-------------|--|
| \$85,000 | To | 52000 | ScnPI | Equipment & Other Cap Outlay Screening Plant Conveyor Reprs |

Mr. Manktelow moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 193-14: SUPPORTS THE WAYNE COUNTY SOIL AND WATER CONSERVATION DISTRICT TO UTILIZE FUNDS OF THE WCSWCD HARVESTER EQUIPMENT RESERVE SAVINGS FOR PURCHASE OF A 2014 FX7 WEED HARVESTER FOR USE IN THE PROGRAM

Mr. Miller presented the following:

WHEREAS, the Board of Supervisors authorized the Wayne County Soil & Water Conservation District to dedicate funding out of each contract year to go toward equipment replacement based on remaining funding in each contract year; and

WHEREAS, through planning and active retention, the Soil and Water Conservation District has saved enough funds through multiple lines of funding (i.e. income from the County Contract, FLOWPA program and earned incomes); and

WHEREAS, the District has been able to reserve enough funds in the Harvester Equipment Reserve Savings for purchase of new equipment for the 2014 season; and

WHEREAS, appropriate procurement procedures have been followed in securing adequate information to purchase the equipment and approved for by the Districts Board of Directors; and

WHEREAS, the Board of Supervisors resolved for final approval of purchase of the new equipment in resolution no. 858-11 Authorization for remaining 2011 County Payments to Soil and Water District for Weed Harvesting program to be claimed and retained by Soil and Water Conservation District in a capital reserve for weed harvesting equipment; and

RESOLVED, that the Wayne County Board of Supervisors supports the Wayne County Soil & Water Conservation District to finalize procurement of the FX7 Weed Harvester with use of WCSWCD Harvester Equipment Reserve Savings funds:

Ms. Park moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, adopted.

RESOLUTION NO. 194-14: ENDORSEMENT OF COUNTY PLANNING BOARD APPOINTMENT FOR THE TOWN OF MARION

Mr. Spickerman presented the following:

WHEREAS, the Town of Marion has recommended the appointment of Robert Burns of 3782 Hall Center Road, Marion, NY to fill the empty seat from the Town on the County Planning Board; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby appoints Robert Burns to fill the position vacated by Monica Deyo on the County Planning Board for the remainder of her term from April 1, 2014 to April 30, 2015.

Mrs. Deyo moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, adopted.

RESOLUTION NO. 195-14: ENDORSEMENT OF APPOINTMENTS TO THE AGRICULTURAL DEVELOPMENT BOARD

Mr. Spickerman presented the following:

WHEREAS; after long and distinguished service, the terms of office for the following members of the Agricultural Development Board expired on December 31, 2013:

Elizabeth Henderson, 2218 Welcher Rd. Newark, NY
Larry Arliss, 521 Lockpit Road, Clyde, NY
John Crane, 7903 Dutch Street Rd, Wolcott, NY
Brian Manktelow, 3353 Pilgrim Rd. Lyons, NY

WHEREAS, the following persons are recommended for appointment to the Agricultural Development Board to fill these vacated seats:

Adam Craft, 5816 Ridge Chapel Rd. Williamson, NY
Abram Johnson, 8975 Wayne Center Rd, Lyons, NY
Frank Teeple, 6828 Lake Bluff Rd, Wolcott, NY
Brian Manktelow, 3353 Pilgrim Rd. Lyons, NY;

now, therefore, be it

RESOLVED, that Adam Craft, Abram Johnson and Frank Teeple are hereby appointed to the Agricultural Development Board for a term of office effective January 1, 2014 and expiring on December 31, 2017; and be it further

RESOLVED that Brian Manktelow is hereby reappointed to the Agricultural Development Board for a term of office concurrent with his term of office as Supervisor, becoming effective January 1, 2014 and expiring on December 31, 2015.

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

RESOLUTION NO. 196-14: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, NEW YORK SUPPORTING THE WILMOT CASINO IN THE TOWN OF TYRE, SENECA COUNTY

Mr. Spickerman presented the following:

WHEREAS, the New York State Legislature passed the Upstate New York Gaming Act in the Fall of 2013 ("2013 Gaming Act") and by statewide voter referendum on November 5, 2013, the electorate approved a constitutional amendment to permit "class 3", or what is considered full casino gaming operations; and

WHEREAS, the 2013 Gaming Act called for establishing "four destination resort casinos in upstate New York" through a competitive process whereby up to four (4) gaming licenses will be awarded in what was identified as Region 1 (Catskill Region – Colombia, Delaware, Dutchess, Greene, Orange, Sullivan and Ulster Counties), Region 2 (Capital Region – Albany, Fulton, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie and Washington Counties), and Region 5 (Upstate Region – Broome, Seneca, Tioga, Tompkins Counties and portions of Chemung, Schuyler and Wayne east of State Route 14); and

WHEREAS, on February 5, 2014 the Economic Development Planning Committee heard a presentation and recommended consideration by the Board of Supervisors (the "Board") of the County of Wayne, New York (the "County") and the Board has heard a presentation by

representatives of Wilmorite, Inc. ("Developer") indicating that the Wilmot Casino and Resort will be a \$350 million project, featuring a casino, hotel, spa, as well as dining and entertainment with 1,200 construction jobs and 1,800 permanent jobs with a \$50 million annual payroll; and

WHEREAS, the Town of Tyre passed a local law encouraging use of planned unit development overlays for mixed use developments like the Wilmot Casino and is reviewing the application of the Developer in efforts to have all local approvals completed by the time the Developer submits an application for a Region 5 gaming license, currently estimated to be submitted in May 2014; and

WHEREAS, the Developer has provided the attached summary of projected payments to be received by the County if the Region 5 gaming license is awarded to the Wilmot Casino and Resort versus the project proposed by Tioga Downs in Tioga County; and

WHEREAS, under the 2013 Gaming Act, Eighty percent (80%) of the tax on the new gaming operations will be distributed state-wide to the school districts such that the larger sized Wilmot Casino and Resort will lead to more funding for Wayne County schools than the other Region 5 proposals; and

WHEREAS, the Board desires to show support for the Wilmot Casino and Resort to encourage this development so as to provide job opportunities for residents of the County and to maximize revenue opportunities for the County;

NOW THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, NEW YORK HEREBY RESOLVES, AS FOLLOWS:

RESOLVED, that the Wayne County Board of Supervisors supports the proposed development of the Wilmot Casino and Resort in the Town of Tyre, Seneca County; and be it further

RESOLVED, that each member of the New York State Legislature, the Governor of New York and the Wayne County federal delegation are called upon and urged to join this Board in supporting the awarding of a gaming license to the Wilmot Casino and Resort; and be it further

RESOLVED, that this resolution shall take effect immediately.

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. Groat.

Mr Spickerman moved, seconded by Mr. Hammond, to amend the resolution by adding the following "RESOLVED" clauses near the end of the proposed resolution:

"RESOLVED, that we call upon those appointed members of the siting board to consider the larger impact of the Wilmot Casino and Resort versus all other Region 5 proposals and ask that a fair and balanced review be undertaken without influence from weaker proposals or officials who may attempt to influence a fair and balanced review of Region 5 proposals where the project with the largest impact integrated into the community is awarded the Region 5 gaming license; and

RESOLVED, that we call upon the State of New York to establish exclusivity zones in the ninety (90) mile region around the Wilmot Casino and Resort, and around all other recipients of gaming licenses under the 2013 Gaming Act, so as to provide protections to the respective Casino business plans in a form similar to the protections afforded non-tax paying Indian Gaming Facilities, as the contemplated facility fees payable to Seneca County, Town of Tyre and other host communities need to be protected for fiscal certainty."

Motion carried.

Mr. Baldrige address the Board with concerns and opposition for this resolution as it would promote the loss of business and jobs, working against the promotion of economic growth in this county. He requested board members to oppose this resolution.

Upon roll call, all Supervisors voted Aye, except Supervisor Baldrige who voted Nay. The Chairman declared the resolution adopted.

RESOLUTION NO. 197-14: SUPPORT FOR WAYNE COUNTY WATER AND SEWER

AUTHORITY ON STATE FUNDING

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Water and Sewer Authority ("Authority" currently provides wastewater collection and treatment services to the Butler Correctional Facility pursuant to an Agreement ("Contract") with the State of New York Department of Corrections and Community Services, formerly Department of Correctional Services ("DOCCS"); and

WHEREAS, the Contract provides for the construction of certain improvements constituting the Authority's regional wastewater collection system and treatment facility ("Regional Wastewater Plant") and the operation of the Regional Wastewater Plant for the benefit of the Butler Correctional Facility, together with other municipalities in the region as customers of the Authority; and

WHEREAS, the Contract requires DOCs to pay the Authority a minimum annual operating charge of \$115,000 pursuant to the Contract; and

WHEREAS, DOCS has indicated its intention to close the Butler Correctional Facility and cease making payments to the Authority during the summer of 2014; and

WHEREAS, the loss of the operating revenue from DOCS would have a devastating impact on the non-DOCS wastewater customers of the Authority who are already faced with high treatment charges; and

WHEREAS, such existing customers of the Authority include Red Creek Central Schools, Village of Red Creek, Village of Fairhaven, Town of Sterling, Cayuga County Water and Sewer Authority, Fair Haven State Park and other Authority customers outside of such listed municipalities; and

WHEREAS, potential users of the Authority threatened with rate shocks include the Town of Butler, Blind Sodus Bay, Port Bay, Village of Wolcott, Town of Wolcott, Town of Huron and Town of Rose; and

WHEREAS, the Governor's Executive Budget allocates \$24 million in economic development money ("Closure Fund") to assist those regions affected by the planned closure of the four correctional facilities, including the Butler Correctional Facility, designated for closure in 2014; now, therefore, be it

RESOLVED, to support and endorse the request by the Authority for an allocation of One Million Eight Hundred Thousand ((\$1.8 Million) Dollars from the Closure Fund consisting of:

- \$1.2 Million for loss of net operating revenue; and
- \$400,000 for sale/re-conveyance of Authority-owned sewer related infrastructure dedicated to the Butler Correctional Facility; and
- \$200,000 for the reservation of Wastewater Treatment Capacity (30,000 gallons/day of residential strength wastewater for up to 5 years) to facilitate the re-use of the Butler Correctional Facility site.

and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to send a copy of this Resolution to the Wayne County Water and Sewer Authority, Senator Michael Nozzolio, Assemblyman Robert Oaks, Empire State Development Regional Director Vincent Esposito and Acting DOCCS Commissioner Anthony Annucci.

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

RESOLUTION NO. 198-14: AUTHORIZATION TO EXTEND DEFERRED COMPENSATION (SECTION 457 PLAN) CONTRACT FOR UP TO SIX (6) MONTHS

Mrs. Crane presented the following:

WHEREAS, the Wayne County Board of Supervisors authorized resolution 205-13 which approved a one (1) year extension of the contract with the Hartford Life Insurance Company acting through its agent and administrator Massachusetts Mutual Life Insurance Company (MassMutual) for a Deferred Compensation Plan (457Plan); and

WHEREAS; the County has issued a Request for Proposals for a 457 plan administrator, and is in the process of reviewing received proposals; and

WHEREAS, the Review Committee has not completed its review of proposals; and
WHEREAS, once a recommendation is made to the Board and approved, transition time may also be needed; and

WHEREAS, MassMutual has provided a letter agreement that continues the present contract until September 30, 2014; now, therefore, be it

RESOLVED, that the current contract is extended until September 30, 2014 or an earlier date upon the completion of the RFP selection process; and be it further

RESOLVED, that the Chairman of the Board is hereby authorized to execute this extension agreement with Mass Mutual.

Mr. Smith moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 199-14: AUTHORIZATION TO CANCEL CONTRACT WITH POMCO GROUP

Mrs. Crane presented the following:

WHEREAS, POMCO Group is the current third-party administrator for the Wayne County Self-Insured Plan for Workers' Compensation and for Wayne County Self-Insured Disability claims; and

WHEREAS, Resolution No. 57-14 authorized the Self-Insurance Specialist to issue and administer a Request for Proposals for self-insured workers' compensation and disability claims administration; and

WHEREAS, a suitable replacement for POMCO Group was found during this process; and

WHEREAS, the existing contract between Wayne County and POMCO Group contains a termination clause requiring 60-days' notice; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to terminate the current contract between Wayne County and POMCO Group in accordance with the terms of said contract effective June 1, 2014.

Mr. Manktelow moved the adoption of the resolution. Seconded by Mrs. Marini.

Mrs. Crane commended both Lindsey Burgess, Wayne County's Insurance Specialist and Charles Dye, Human Resources Director, for the excellent job with the interview process for this contract.

Upon roll call, adopted.

RESOLUTION NO. 200-14: AUTHORIZATION TO ENTER CONTRACT WITH NCA COMP INC. TO ADMINISTER THE WAYNE COUNTY SELF-INSURED PLAN FOR WORKERS' COMPENSATION AND WAYNE COUNTY DISABILITY CLAIMS

Mrs. Crane presented the following:

WHEREAS, the County utilizes the services of a Third-Party Administrator (TPA) for administration of the Wayne County Self-Insured Plan for Workers' Compensation and of Wayne County Self-Insured Disability Claims; and

WHEREAS, Resolution No. 57-14 authorized the Self-Insurance Specialist to issue and administer a Request for Proposals for this service; and

WHEREAS, the Self-Insurance Specialist received 3 acceptable proposals in response to the Request for Proposals; and

WHEREAS, the proposals were reviewed and the finalist interviewed by: Laurie Crane, Chairperson of Government Operations Committee; James Marquette, County Administrator; Lindsey Burgess, Self-Insurance Specialist; and Ken Blake, Fiscal Assistant; and

WHEREAS, NCA Comp Inc. has demonstrated the ability to provide third-party administration services to the county's satisfaction; and

WHEREAS, NCA Comp Inc. has presented the County with the following fee schedule for

the dates June 1, 2014 – December 31, 2014:

Workers' Compensation: \$61,250, plus applicable allocated expenses

Disability: \$ 5,834

with two annual options to renew the contract (2015, 2016) for annual Workers' Compensation and Disability fees of \$105,000 and \$10,000 respectively, 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 NCA Comp Inc., 14 Lafayette Square, Suite 700, Buffalo, NY 14203 to administer the Wayne County Self-Insured Workers' Compensation Plan and Self-Insured Disability Plan for a period commencing June 1, 2014, through December 31, 2014 for the contract amounts specified above.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, adopted.

RESOLUTION NO. 201-14: SETTING DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW AUTHORIZING THE ADOPTION OF SALARY ADMINISTRATION PROGRAM FOR MANAGEMENT AND CONFIDENTIAL POSITIONS

Mrs. Crane presented the following:

WHEREAS, Resolution No. 383-13 authorized the county to enter into a contract for consultant services to complete a compensation plan and performance appraisal program for the Managerial and Confidential employee group; and

WHEREAS, the consultants, Public Sector HR Consultants LLC, have completed their preliminary work and the proposed compensation plan has been reviewed with the Board of Supervisors; and

WHEREAS, it is the intention of the Board of Supervisors to use this compensation plan to set initial salaries and determine on-going compensation; and

WHEREAS, the adoption of a new pay plan through the local law process is permissible under the New York State Municipal Law, Section 20; 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 April 15, 2014 at 9:15 a.m. in the Ohmann Theatre, 65 William Street, Lyons, New York, on the following proposed local law:

**COUNTY OF WAYNE – STATE OF NEW YORK
INTRO NO. 1/LOCAL LAW NO. ____ FOR THE YEAR 2014**

A Local Law adopting and implementing a Pay and Performance Management Plan for the County of Wayne

Managerial and Confidential Employees, including certain appointed County officers during their term of office.

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

SECTION 1. LEGISLATIVE INTENT

It is the intent of this Local Law to establish a mechanism and framework for Wayne County government to implement a Compensation and Performance Management Plan for Managerial and Confidential employees. Said Compensation and Performance Management Plan will provide an equitable system of compensation by pay grade and will promote efficiency, responsiveness, and effectiveness of County government by compensating individuals within the system based upon their performance.

SECTION 2. DEFINITIONS

As used in this local law, unless the context otherwise requires

- a. "County" shall mean the County of Wayne County
- b. "Board" shall mean the Board of Supervisors of the County of Wayne County

- c. "Employee" shall mean any person holding a position by appointment or employment in the service of the County, not including elected officials, or contractors.
- d. "Elected Officials" shall mean the Sheriff, District Attorney, Coroner, County Clerk, County Treasurer, members of the Board of Supervisors, and any elected positions that may be established by local or state law in the future.
- e. "Appointed Officials" shall mean all positions in the Unclassified or Exempt classes for which a term of appointment has been established, including the County Administrator, Director of Real Property Tax Services, County Attorney, County Auditor, Director of Human Resources, Public Defender, Election Commissioners (2), Commissioner of Social Services, Superintendent of Public Works, and any similar positions which may be established by the Board in the future.
- f. "Salaried" positions are positions paid a compensation amount fixed annually, and which are exempt from the payment of overtime in accordance with the Fair Labor Standards Act (FLSA).
- g. "Hourly" positions are positions paid a fixed rate per hour, with payment at one and half times the established hourly rate for work beyond forty (40) hours in a workweek.
- h. "Managerial and Confidential" employees are those County employees who are excluded, by either designation or agreement, from any and all collective bargaining units.
- i. "Department Head" shall mean any Managerial employee who is in charge of an operating department of the County.

SECTION 3. RULES AND REGULATIONS

The Board of Supervisors is authorized and empowered to:

- a. Establish pay-grades for the Managerial and Confidential employee group,
- b. Assign position titles and to established pay-grades
- c. Direct the Director of Human Resources to analyze and recommend the salary grade for any new Managerial or Confidential positions that may be created in the future.
- d. Establish an annual program of salary progression within pay-grades from minimum to midpoint to maximum.

SECTION 4. EXCEPTIONS This local law shall not apply to the setting of salary during term of office for the elected positions of County Clerk, County Coroner, County Treasurer, District Attorney, Sheriff, or any other elected County positions which may be established after this local law becomes effective.

SECTION 5. SEVERABILITY

If any clause, sentence, paragraph, part or provision of this local law shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part or provision thereof directly involved in the controversy in which such judgment is rendered.

SECTION 6. EFFECTIVE DATE

This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof, in the manner provided by law. This local law shall take effect forty-five days after its adoption by the Wayne County Board of Supervisors, unless a Petition is filed within forty-five days from adoption by the County Board of Supervisors requesting a Referendum, in which case it shall not take effect until approved by majority vote of the qualified electors of a proposition for approval of such local law submitted at a general election held in accordance with Municipal Home Rule Law, §24, and it is subsequently filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York, and it shall be deemed to have been in full force and effect from that date.

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

adopted.

RESOLUTION NO. 202-14: AUTHORIZATION OF RENEWAL OF SERVICE AGREEMENT WITH TYLER TECHNOLOGY

Mrs. Crane presented the following:

WHEREAS, IN 2007 The County of Wayne purchased a document imaging and indexing system from Tyler Technology; and

WHEREAS, the service agreement on the imaging system is scheduled to expire on April 30, 2014; and

WHEREAS, the County Clerk is proposing that the service agreement be renewed for a term of up to five years according to the terms of the following addendum:

ADDENDUM

Per Sales Agreement signed between Wayne County, NY and Tyler Technologies, Inc. both parties have agreed that as of May 1, 2014, Tyler will renew Client's Annual Software Maintenance in the amount of \$35,643.86. (Eagle OCR Recording - \$6,760.66 Eagle Recorder - \$22,986.44; Web Recording - \$5,069.88; Escrow - \$826.88) This Annual Software Maintenance Agreement will automatically renew for the following five (5) years unless either party gives the other party at least thirty (30) days prior written notice of its intent not to renew prior to the expiration of the then current term. Maintenance fees will be billed annually in advance and will not increase by more than 5% per year for the next five (5) renewals.

now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to sign the above referenced addendum subject to the review and approval of the County Attorney.

Mr. Colacino moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, adopted.

RESOLUTION NO. 203-14: AUTHORIZATION TO PURCHASE MAP COPIER AND AMEND BUDGET FOR THE WAYNE COUNTY CLERK'S OFFICE

Mrs. Crane presented the following:

WHEREAS, A map copier is necessary equipment for the Office of the County Clerk; and

WHEREAS, \$7,300 was appropriated in the 2013 Wayne County Budget to replace the map copier but purchase details were not finalized prior to December 31, 2013; and

WHEREAS, the 2013 budgeted, but unspent, amount became part of the Unassigned Fund Balance at year's end; and

WHEREAS, KopyKat of Walworth has a used KIP 3000 Map Copier at a purchase price of \$7,000.00; and

WHEREAS, a new map copier will cost substantially more; and

WHEREAS, the Information Technology Department and the County Clerk have evaluated the purchase price and the overall use of the copier to determine that the price provides a value to the County; and

WHEREAS, the offered maintenance agreement would be \$40.00 per month plus \$.075 per square foot over 500 square feet per month. The second year would increase by 10% to a price of \$44.00 per month plus \$.0825 per square foot over 500 square feet per month. The third year would increase by 10% to a price of \$48.40 per month plus \$.09075 per square foot over 500 square feet per month; now, therefore, be it

RESOLVED, that the Wayne County Clerk is hereby authorized to purchase the above referenced map copier at a cost not to exceed \$7,000 and at the terms specified herein as well as to enter into the necessary maintenance agreements; and be it further

RESOLVED that the County Treasurer is authorized to transfer \$7,000 from the Unassigned Fund Balance; and be it further

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

A1410 County Clerk

\$7,000 to .52200 Office Equipment

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

RESOLUTION NO. 204-14: AUTHORIZATION TO ENGAGE OUTSIDE COUNSEL FOR PUBLIC EMPLOYMENT RELATIONS BOARD (PERB) COMPLAINT

Mrs. Crane presented the following:

WHEREAS, Wayne County has identified the need for the assistance of outside legal counsel regarding a Public Employment Relations Board (PERB) complaint filed against Wayne County; and

WHEREAS, after meetings with the Wayne County Attorney's Office, and the County Administrator it was decided to pursue services regarding said issues; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes Wayne County to retain John Corcoran of Hancock and Estabrook, LLP of Syracuse, New York as legal counsel for the above stated purpose and further authorizes the Chairman of the Board to sign a Retainer agreement in form approved by the County Attorney; and be it further

RESOLVED, that the County Treasurer is authorized to amend the 2014 County Budget as follows:

A 1990 – CONTINGENT FUND GEN:

\$5,000 from .54000 Contractual Expense

A1420 – COUNTY ATTORNEY

\$5,000 to .54400 Contracted Services

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

RESOLUTION NO. 205-14: AUTHORIZATION TO SUPPORT FINGERLAKES HEALTH SYSTEMS AGENCY

Mr. Groat presented the following:

WHEREAS, the Wayne County provides annual support funding to the Finger Lakes Health Systems Agency for the provision of health data and information to community agencies as part of community health assessment activities; now, therefore, be it

RESOLVED, that the Public Health Department provide support to Finger Lakes Health System agency in the amount of \$7,721.00 for fiscal year 2014.

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

RESOLUTION NO. 206-14: AUTHORIZATION TO OBTAIN A VERIZON AIR CARD FOR THE EARLY INTERVENTION PROGRAM AND TO AMEND THE 2014 BUDGET

WHEREAS, Wayne County Public Health (WCPH) had budgeted for two laptops for the Early Intervention Program to use in the field and it has been decided to purchase only one laptop; and

WHEREAS, it has been identified that having a Verizon Air Card to allow immediate access to the secured on-line Health Commerce System to update children's information in the NY Early Intervention System (NYEIS) would make documentation more efficient; and

WHEREAS, the monthly cost of a Verizon Air Card will be \$40.01 per month for an annual cost of \$480.12, and would be in place starting in May of 2014 for a total 2014 cost not to exceed \$320.08; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to obtain a Verizon Air Card as approved by the IT Department for the Early Intervention Program at an annual cost not to exceed \$480.12 and to amend the 2014 to reflect this cost.

4016 PH - Early Intervention 0-1

(Appropriations)

\$320.08 to 54230 Telephone

\$320.08 from 52201 Computer Equipment

Mrs. Crane moved the adoption of the resolution. Seconded by Ms. Park. Upon roll call, adopted.

RESOLUTION NO. 207-14: AUTHORIZATION TO SUBMIT PRE-K ANNUAL ADMINISTRATIVE COSTS INCURRED REPORT

Mr. Groat 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, 2012 – June 30, 2013 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. Hammond moved the adoption of the resolution. Seconded by Mr. Kolczynski. Upon roll call, adopted.

RESOLUTION NO. 208-14: AUTHORIZATION TO APPOINT MEMBER TO THE HEALTH SERVICES ADVISORY BOARD

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) is required to have a Health Services Advisory Board (HSAB) as per PH Law 357; and

WHEREAS, WCPH has identified the following individual to represent the aging population of our county residents to be appointed to the HSAB for a four year term:

- Penny Shockley, Director of Aging & Youth

now, therefore, be it

RESOLVED, that Ms. Penny Shockley is hereby appointed to the Health Services Advisory Board as of January 1, 2014 till December 31, 2017.

Ms. Park moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, adopted.

RESOLUTION NO. 209-14: AUTHORIZATION FOR PUBLIC HEALTH TO CONTRACT WITH TIME WARNER CABLE FOR THE LEAD POISONING PREVENTION PROGRAM

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) has received funding from the NYS DOH to provide public awareness and education to the Wayne County Community about Lead Poisoning Prevention and its effect on children's health; and

WHEREAS, WCPH plans to purchase on-line and television advertising from Time Warner Cable (TWC) at a time between August and October 2014 to increase awareness for Lead Poisoning Prevention Month that includes 65,300 on-line impressions and 532 television spots, at an amount not to exceed \$6,200; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to contract with TWC for public awareness and education messages regarding the lead poisoning prevention program for 5 weeks, at an amount not to exceed \$6,200.

Mrs. Crane moved the adoption of the resolution. Seconded by Ms. Park. Upon roll call, adopted.

RESOLUTION NO. 210-14: AUTHORIZATION TO EXECUTE NEWARK HOUSING AUTHORITY MEMORANDUM OF UNDERSTANDING FOR CASE MANAGEMENT SERVICES FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Manktelow presented the following:

WHEREAS, Newark Housing Authority has selected the Department of Aging and Youth

to provide twenty (20) hours case-management services to the senior and disabled residents living at the Newark High-rise Apartments; and

WHEREAS, the Newark Housing Authority will provide funding in the amount of \$30,000 to the Department of Aging and Youth for part-time case management services covering the period of April 1, 2014 through March 31, 2015; and

WHEREAS, a signed MOU is required between the Newark Housing Authority and the Department of Aging and Youth to delineate the mutual contractual responsibilities; now, therefore, be it

RESOLVED, that the Director of the Department of Aging and Youth be authorized by the Board of Supervisors to sign a Memorandum of Understanding on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Newark Housing Authority in the amount of \$30,000 for 20 hours per week of case management services for the year April 1, 2014 through March 31, 2015.

Ms. Park moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 211-14: AUTHORIZATION TO AMEND BUDGET AND PURCHASE TWO (2) TWO-WAY RADIOS FOR DEPARTMENT OF AGING AND YOUTH

Mr. Manktelow presented the following:

WHEREAS, the Department of Aging and Youth administers the Sodus Point Beach Swim Program; and

WHEREAS, monitoring both the lake and bay side beaches, when at full capacity, requires six lifeguards to be on duty at a time. Two-way radios are necessary to facilitate communication between the guards; and

WHEREAS, two radios have been evaluated inoperable and will need to be replaced for the 2014 season; and

WHEREAS, that CP 200146-174 4ch radios meet the specified requirements are available under New York State pricing through Finger Lakes Communications for \$335.25 per radio plus \$15.00 freight, totaling \$685.50. The radios will come converted to the correct frequency; now, therefore, be it

RESOLVED, the Director of Aging and Youth is hereby authorized to purchase two Motorola CP200 146-174 4ch radios at a cost not to exceed \$685.50; and be it further

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

A7311 Youth Program – Recreation

(Appropriations)

\$685.50 From 54100 Supplies and Materials

\$685.50 To 52000 Equipment and Other Outlay

Ms. Park moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 212-14: AUTHORIZE CONTRACT WITH FINGER LAKES ADDICTIONS COUNSELING AND REFERRAL AGENCY, INC. (FLACRA) FOR CO-LOCATED ALCOHOL AND OTHER DRUG (AOD) SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Manktelow presented the following:

WHEREAS, the Child Welfare caseload often includes families with alcohol and/or other drug problems; and

WHEREAS, there is need to continue AOD services; and

WHEREAS, NYS Office of Children and Family Services is without funds to continue AOD services; and

WHEREAS, Wayne County DSS has available Flexible Funds for Family Services; and

WHEREAS, AOD services are expected to help stabilize families who will then be able to properly care for their children; and

WHEREAS, AOD services will help prevent out of the home placements of children

and/or promote the earlier return of children to their families from foster care placement; and WHEREAS, FLACRA has experience and expertise in these areas; now, therefore, be it RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract on behalf of the Wayne County Department of Social Services, subject to the County Attorney's review as to form and content, with Finger Lakes Addictions Counseling and Referral Agency, Inc. for the provision of Alcohol and Other Drug services during 1/1/14 – 12/31/14 timeframe at a cost not to exceed \$75,848; and be it further RESOLVED, that there are no county monies included in the cost of this contract.

Ms. Park moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 213-14: AUTHORIZE CONTRACT WITH VICTIM RESOURCE CENTER, INC. FOR NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Manktelow presented the following:

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

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

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement with Victim Resource Center, Inc., subject to the County Attorney's approval as to form and content, for the provision of Non-Residential Domestic Violence Services during the period 1/1/14 - 12/31/14 subject to a maximum contract amount of \$22,716.

Mrs. Crane moved the adoption of the resolution. Seconded by Ms. Park. Upon roll call, adopted.

RESOLUTION NO. 214-14: AUTHORIZE CONTRACT WITH CATHOLIC FAMILY CENTER FOR DRUG/ALCOHOL ASSESSMENTS FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Manktelow presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) is required to contract for drug/alcohol assessment services for those applying for cash assistance; and

WHEREAS, Wayne DSS is required to provide a choice of assessment options, and

WHEREAS, Wayne DSS is reimbursed at a rate of \$40.00 per assessment by the New York State Office of Temporary and Disability Assistance; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Catholic Charities of the Diocese of Rochester, d/b/a Catholic Family Center, subject to the County Attorney's approval as to form and content, for the provision of drug/alcohol assessment services during the period 1/1/14-12/31/14 at a fee of \$40.00 per assessment.

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

RESOLUTION NO. 215-14: AUTHORIZE CONTRACT WITH FINGER LAKES ADDITIONS COUNSELING & REFERRAL AGENCY, INC. (FLACRA) FOR DRUG/ALCOHOL ASSESSMENTS FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Manktelow presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) is required to contract for drug/alcohol assessment services for those applying for cash assistance; and

WHEREAS, Wayne DSS is required to provide a choice of assessment options; and

WHEREAS, Wayne DSS is reimbursed at a rate of \$40.00 per assessment by the New

York State Office of Temporary and Disability Assistance; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Finger Lakes Addictions Counseling & Referral Agency, Inc. (FLACRA), subject to the County Attorney's approval as to form and content, for the provision of drug/alcohol assessment services during the period 1/1/14 - 12/31/14 at a fee of \$40.00 per assessment.

Ms. Park moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 216-14: AUTHORIZING AGREEMENT WITH FINGER LAKES COMMUNITY COLLEGE FOR DEPARTMENT OF SOCIAL SERVICES EMPLOYEE TRAINING

Mr. Manktelow presented the following:

WHEREAS, training is an integral and necessary component of DSS work responsibilities; and

WHEREAS, NY State underwrites costs for training provided through contract with local Community Colleges; and

WHEREAS, Finger Lakes Community College has suitably and effectively provided training in the past; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement on behalf of the Wayne County Department of Social Services, subject to the County Attorney's approval as to form and content, with the Finger Lakes Community College to provide training for employees of the Department of Social Services for the period January 1, 2014 to December 31, 2014 at a total project cost not to exceed \$39,790.

Mr. Colacino moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, adopted.

RESOLUTION NO. 217-14: AUTHORIZATION FOR 2014 FAMILY COUNSELING OF THE FINGER LAKES CONTRACT RENEWAL FOR DEPARTMENT OF AGING AND YOUTH

Mr. Manktelow presented the following:

WHEREAS, The Wayne County Department of Aging and Youth contracts with Family Counseling Service of the Finger Lakes, Inc., for the provision of family and youth counseling services; and

WHEREAS, emphasis is placed on youth who are experiencing risk factors such as school failure, truancy, poor social/family relations, and/or acting out behavior; and

WHEREAS, services will be provided to 75 youth and the program budget is not to exceed \$22,870; 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 January 1, 2014 through December 31, 2014, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Family Counseling of the Finger Lakes, Inc. in the amount of \$23,065 and that the funding is contingent on OCFS 2014 final funding allocations.

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

RESOLUTION NO. 218-14: AUTHORIZATION TO DECLARE ITEMS SURPLUS FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Manktelow presented the following:

WHEREAS, twelve inoperable personal emergency response units and related accessories (unit numbers 229, 325, 4014, 6025, 6037, 6047, 6061, 6067, 6085, 6090, 6093, and 6122) are no longer of use to the Wayne County Department of Aging and Youth; now, therefore, be it

RESOLVED that these units are hereby declared surplus and the Director of Information

Technology is hereby authorized to dispose of these items in accordance with County policy.
Ms. Park moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, adopted.

RESOLUTION NO. 219-14: AUTHORIZATION TO PURCHASE MEDICAL INFORMATION CARDS AND PROMOTIONAL HOLDERS FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Manktelow presented the following:

WHEREAS, the Department of Aging and Youth serves elderly clients who frequently require emergency medical care and ambulance transport; and

WHEREAS, current medical and prescription information is vital to receiving prompt and effective services; and

WHEREAS, the following quotes were received for cards and holders:

| 1000 cards | Amount | 1000 holders | Amount |
|-----------------------------|----------|--------------------|----------|
| Wayne ARC Print Shop | \$ 83.50 | epromos.com | \$351.97 |
| Wayuga Community Newspapers | \$134.32 | Amsterdam Printing | \$686.87 |
| Sunrise Imaging | \$245.00 | Usimprints.com | \$707.50 |

now, therefore, be it

RESOLVED, that the Department of Aging and Youth is authorized to purchase 1,000 medical information cards from the Wayne ARC Print Shop for \$83.50 and 1,000 card holders from epromos.com for \$351.97 for a total of \$435.47.

Mr. LeRoy moved the adoption of the resolution. Seconded by Ms. Park. Upon roll call, adopted.

RESOLUTION NO. 220-14: AUTHORIZATION TO REAPPOINT YOUTH BOARD MEMBERS

Mr. Manktelow presented the following:

WHEREAS, Don DiCraсто, Chair and Faith Community Representative; Donna Johnson, Vice Chair and Marion Representative; William Campbell, Palmyra; Mary Jones, Clyde; Laurie McFaul-Frey, Sodus and Jackie Van Lare, Walworth, term as a member of the Wayne County Youth Board is completed; now, therefore, be it

RESOLVED, request authorization from the Chairman of the Board of Supervisors to reappoint the following individuals as Chair, Vice Chair and members to the Wayne County Youth Board for a term of three years:

| | | |
|---|--|--|
| Don DiCraсто-Chair 6917 Salmon Creek Rd. Williamson, NY 14589 | Donna Johnson – Vice Chair 3590 Sheridan Rd Marion, NY 14505 | William Campbell 424 Stafford St. Palmyra, NY 14522 |
| Mary Jones 19 Galen St. Clyde, NY 14433 | Laurie McFaul-Frey 6610 N. Geneva Rd. Sodus, NY 14551 | Jackie Van Lare 3600 Lorraine Dr. Walworth, NY 14568 |

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

OTHER BUSINESS

Mr. Smith moved, seconded by Mr. Miller that three (3) resolutions be allowed on the floor under Other Business. Upon roll call, all supervisors voted Aye. Motion Carried.

RESOLUTION NO. 221-14: RESOLUTION SUPPORTING THE EXTENSION AND MODIFICATION OF REAL PROPERTY TAX LAW SECTION 485

Ms. Park presented the following:

WHEREAS, the R.E. Ginna Nuclear Power Plant is located within the Wayne County;
and

WHEREAS, Real Property Tax Law Section 485 was adopted by the State of New York to allow local taxing jurisdictions with nuclear electric generating facilities to negotiate tax agreements outside of the traditional Industrial Development Agency payment in lieu of tax agreement and provides additional flexibility to both the companies and the jurisdictions; and

WHEREAS, Real Property Tax Law Section 485 is scheduled to sunset on December 31, 2015; and

WHEREAS, the R.E. Ginna Nuclear Power Plant comprises a significant portion of the community's tax base; and

WHEREAS, the extension of Real Property Tax Law Section 485 or making it permanent will have positive results for the State's nuclear host communities, the plants' owners, and the taxpayers because:

- The ability to negotiate multi-year agreements allows for flexibility and creativity, removes potential stumbling blocks, and increases the chances of mutually acceptable and fair agreements between the taxing jurisdictions and plant owners.
- Multi-year agreements provide both the tax jurisdictions and the utilities with budgeting stability. Unlike homes and smaller businesses, the assessed values of nuclear power facilities are affected annually by market factors. This dynamic can create yearly wide swings in a host-community's taxable assessed value, and therefore put tax rates on a roller-coaster ride that negatively impacts all taxpayers, even if the real property tax levy is unchanged.
- The plant owners also support the extension of RPTL §485 as it provides the plants with stability and enables long term planning.

WHEREAS, the modification of Real Property Tax Law Section 485 to include containers used to store spent nuclear fuel, also known as dry cask storage, will respond to changes in the law regarding spent nuclear fuel:

- Nuclear power generating facilities store spent nuclear fuel in storage facilities, often referred to as dry casks storage and rack storage.
- In the past this storage has not been taxable in New York as real property because they were considered temporary and removable structures. The final disposition of spent nuclear fuels and their containment structures was to be at the federal Yucca Mountain nuclear waste storage facility in Nevada.
- The federal government has now abandoned the Yucca Mountain project and in December 2013, the U.S. Court of Appeals for the District of Columbia Circuit ruled that nuclear plant operators no longer needed to make yearly payments to the federal government in support of the long-term depository for spent fuel.
- The abandonment of the Yucca Mountain project and the district court decision have the effect of making the spent nuclear fuel facilities in our communities, which contain potentially highly dangerous materials, permanent and non-transportable.
- Local municipalities cannot regulate spent/depleted nuclear fuel due to federal pre-emption issues, yet our residents bear the burden and inherent risks of spent fuel within our boundaries, but realize no benefit from same.
- These permanent and non-transportable spent nuclear fuel facilities and infrastructure should now be treated as taxable real property by the jurisdictions that must host them for the foreseeable future.

WHEREAS, the modification of Real Property Tax Law Section 485 to include language providing for default payment allocation, will establish a fair baseline for payment allocation and maintain consistency throughout laws governing Payment in Lieu of Taxes ("PILOT") agreements.

- Absent an agreement by the parties otherwise, PILOT agreement payments should be allocated among the affected tax jurisdictions in proportion to the amount of real property and other tax that each jurisdiction would have received had the property not been tax exempt.

- This proposed amendment would mirror the language in General Municipal Law §858(15), which authorizes Industrial Development Agencies to enter into PILOT agreements, providing greater consistency in the law.

WHEREAS, in February 2014, the county, town, and school district taxing jurisdictions affected by the R.E. Ginna Nuclear Power Plant met to discuss and fully support the foregoing extension and modification of Real Property Tax Law Section 485; now therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby requests that the State of New York Legislature adopt, and Governor Andrew Cuomo sign, legislation extending and modifying Real Property Tax Law Section 485; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to forward copies of this resolution to Governor Andrew Cuomo, Senator Michael F. Nozzolio, Assemblyman Robert C. Oaks, and all those deemed necessary and proper.

Mr. Manktelow moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, adopted.

RESOLUTION NO. 222-14: AUTHORIZATION TO SET SALARY FOR VICTIM WITNESS PROGRAM COORDINATOR POSITION FOR DISTRICT ATTORNEY'S OFFICE

Mr. LeRoy presented the following:

WHEREAS, a Victim Witness Program Coordinator will become vacant effective April 10, 2014 due to the resignation of the individual currently holding the position; and

WHEREAS, no formal classification or salary schedule exists for positions classified as management and confidential employees; and

WHEREAS, the County Administrator does not currently have the authority to set salaries without a Board of Supervisors approved salary schedule; and

WHEREAS, the District Attorney and the County Administrator recommends a starting salary for this position consistent with 2014 Budget; and

WHEREAS, this position remains essential to the overall operation of the department; now, therefore, be it

RESOLVED, the salary for the impending vacancy of the Victim Witness Program Coordinator position in the District Attorney's office is hereby established up to \$38,375 effective April 11, 2014.

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

RESOLUTION NO. 223-14: AUTHORIZATION TO EXECUTE CONTRACT WITH CGI COMMUNICATIONS, INC. FOR COUNTY VIDEO TOUR

Mr. Spickerman presented the following:

WHEREAS the Chairman of the Board of Supervisors and the County Administrator have been contacted by representatives of CGI Communications, Inc. relative to a no-cost opportunity for promotional video(s) to be prepared and linked to the County website; and

WHEREAS, the Information Technology Department has reviewed the provisions of the contract; and

WHEREAS, CGI Communications will solicit potential sponsors for the video(s) within guidelines approved by the County; and

WHEREAS, sponsor logos will be displayed in the perimeter around the video panel area on the County website; and

WHEREAS, the videos will be produced even if sufficient sponsor participation is not obtained; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute a no-cost exclusive contract with CGI Communications, Inc. for the production and hosting of Wayne County showcase videos subject to the review and approval by the Wayne County Attorney as to form and content; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a letter indicating that CGI Communications is working with Wayne County that will be used to assist in

soliciting sponsorships.

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

EXECUTIVE SESSION

Mrs. Crane moved, seconded by Mr. Manktelow that the Board go into executive session at 8:29 p.m. to discuss Collective Bargaining. Carried.

REGULAR SESSION

Mr. Miller moved, seconded by Mrs. Marini that the Board resumed regular session at 8:47 p.m. Carried.

OTHER BUSINESS

Mr. LeRoy moved, seconded by Mr. Manktelow that three (3) resolutions be allowed on the floor under Other Business. Upon roll call, all supervisors voted Aye. Motion Carried.

RESOLUTION NO. 224-14: AUTHORIZATION TO RATIFY 2014-2018 COLLECTIVE BARGAINING AGREEMENT WITH THE PROFESSIONAL SERVICE WORKERS, LOCAL 81382 IUE-CWA

Mrs. Crane presented the following:

WHEREAS, Wayne County ("the County") and the Professional Service Workers, Local 81382 IUE-CWA have negotiated a Collective Bargaining Agreement ("the Agreement") establishing terms and conditions of employment for the five (5) year period commencing January 1, 2014 and ending December 31, 2018; and

WHEREAS, the Union Contract Negotiation Committee has reviewed the provisions of said collective bargaining agreement and the Union membership voted on February 26, 2014 to ratify the tentative agreement; and

WHEREAS, the County's Negotiation Team has reviewed the material changes in the Agreement with the Board of Supervisors; now, therefore, be it

RESOLVED, that the Agreement is hereby approved and ratified by the Board of Supervisors and the Chairman of the Board of Supervisors is hereby authorized and directed to execute the Agreement on behalf of the County.

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

RESOLUTION NO. 225-14: AUTHORIZATION TO RATIFY 2014-2018 COLLECTIVE BARGAINING AGREEMENT WITH THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. LOCAL 859 SUPERVISORY UNIT 9100

Mrs. Crane presented the following:

WHEREAS, Wayne County ("the County") and the Civil Service Employees Association, Inc. Local 859 Supervisory Unit 9100 ("the Union") have negotiated a Collective Bargaining Agreement ("the Agreement") establishing terms and conditions of employment for the five (5) year period commencing January 1, 2014 and ending December 31, 2018; and

WHEREAS, the Union Contract Negotiation Committee has reviewed the provisions of said collective bargaining agreement and the Union membership voted on March 4, 2014 to ratify the tentative agreement; and

WHEREAS, the County's Negotiation Team has reviewed the material changes in the Agreement with the Board of Supervisors; now, therefore, be it

RESOLVED, that the Agreement is hereby approved and ratified by the Board of Supervisors and the Chairman of the Board of Supervisors is hereby authorized and directed to execute the Agreement on behalf of the County.

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, adopted.

RESOLUTION NO. 226-14: AUTHORIZATION TO RATIFY 2014-2018 COLLECTIVE BARGAINING AGREEMENT WITH THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. LOCAL 859 GENERAL EMPLOYEES UNIT 9100-02.

Mrs. Crane presented the following:

WHEREAS, Wayne County ("the County") and the Civil Service Employees Association, Inc. Local 859 General Employees Unit 9100-02 ("the Union") have negotiated a Collective Bargaining Agreement ("the Agreement") establishing terms and conditions of employment for the five (5) year period commencing January 1, 2014 and ending December 31, 2018; and

WHEREAS, the Union Contract Negotiation Committee has reviewed the provisions of said collective bargaining agreement and the Union membership voted on March 6, 2014 to ratify the tentative agreement; and

WHEREAS, the County's Negotiation Team has reviewed the material changes in the Agreement with the Board of Supervisors; now, therefore, be it

RESOLVED, that the Agreement is hereby approved and ratified by the Board of Supervisors and the Chairman of the Board of Supervisors is hereby authorized and directed to execute the Agreement on behalf of the County.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, adopted.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, April 15, 2014 at 9:00 a.m. This meeting will be held at The Ohmann Theatre, 65 William Street in the Village of Lyons.

Mrs. Crane moved, seconded by Ms. Park, that the board adjourn at 8:52 p.m. Carried.

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