

6th Day  
Tuesday, April 15, 2014  
9:00 a.m.

The April 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 Sheriff Barry Virts, followed by Chairman Hoffman giving the invocation.

Upon roll call, all Supervisors were present, except Supervisors Deyo, Hammond and Spickerman. County Administrator James Marquette and County Attorney Daniel Connors were also present.

**APPROVAL OF MINUTES:**

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

**COMMUNICATIONS:**

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

A copy of the Sheriff's Cash Receipts Report dated March 20, 2014 was received totaling \$13,564.30.

Certified copy of a resolution *Denying the State of NY Permission to use the Fulton County Seal for Enforcement of the So-Called "Safe ACT"* was received from the Fulton County Board of Supervisors.

Certified Resolutions were received from the Seneca and Ontario County Boards of Supervisors, regarding the Endorsement of Appointments to the Finger Lakes Workforce Investment Board.

A letter was received from Senator Michael Nozzolio, pledging his efforts to overturn the Governor's decision to close the Butler Correctional Facility.

Pursuant to a joint public water improvement project, copy documents were received regarding the Town of Marion's Establishment of their Northeast Quadrant Water District, Phase 3, pursuant to Town Law.

Copy of a Notice of Public Hearing and Contemplated Deviation was received from the Wayne County Industrial Development Agency, in connection with Upstate Refractory Services, Inc. with Upstate RS Properties, LLC 2014 Facility Expansion in the Town of Arcadia.

The Public Hearing will be conducted on Wednesday, April 23, 2014 at 9:30 a.m., Newark Village Hall, 100 East Miller St., Newark.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments, including the March warrants for accounts payable totaling \$6,085,832.53 was received and filed.

Ms. Park moved, seconded by Mrs. Crane. Motion carried.

**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:

**ANNUAL REPORTS:**

Wayne County Annual Financial Report  
WC Mental Health  
WC Public Health  
WC Veterans' Services Agency  
WC Industrial Development Agency

WC Economic Development Corp  
WC Civic Facility Development Corp  
WC Public Defender  
WC Emergency Management Services  
WC Compliance Report

WC Historian  
WC Nursing Home Rehab Center  
WC Sheriff's Office

WC Aging and Youth  
Workforce Development  
Wayne Industrial Sustainability Dev. Corp

Mrs. Crane moved, seconded by Ms. Park, 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.

John Sorbello, a Wayne County resident; and the District 3 Director of the Wayne County Farm Bureau, addressed the Board today to request that members support the proposed resolution to oppose New York State-Wide mandatory labeling of foods produced through the utilization of Biotechnology.

**PROCLAMATIONS**

Martha Bailey, Safe Dwelling Coordinator and Domestic Violence Advocate, read the proclamation for National Crime Victims' Rights Week - April 6-12, 2014

The proclamation for Sexual Assault Awareness and Prevention Month and Child Abuse Prevention Month was read by Sarah Hendrickson, a Wayne County student.

Supervisor Groat, Chairman of the Health and Medical Services Committee, read the following Proclamations on behalf of the full board:

Healthcare Decisions Day – April 16, 2014

National Nurses Week - May 6-12, 2014

Nursing Home Week - May 11-17, 2014

**SCHEDULED BUSINESS:**

Diane Devlin, Director of Wayne County Public Health, distributed handouts and gave an overview of the mandated Pre-K and Early Intervention Programs, highlighting associated costs.

**PUBLIC HEARING:**

Prior to the reading of the hearings for public comment today, Chairman Hoffman read the rules and procedures that are followed for conducting public hearings for this Board.

The Clerk read the title of following Notice of Public Hearing regarding a proposed Local Law amending the Mortgage Recording Tax within the County of Wayne. This Public Hearing was advertised and scheduled for 9:05 a.m., however, the notice was read at 9:32 a.m.

**COUNTY OF WAYNE  
NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW**

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on **Tuesday, April 15, 2014 at 9:05 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. 2/LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2014**

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

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

**SECTION 1**

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

Section 1. Imposition of Tax

Pursuant to Chapter 164 of the Laws of 2005, for the period beginning June 1, 2014 and ending April 14, 2017, there is hereby imposed, in the county of Wayne, a tax of \$0.25 for each \$100.00, and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the county of Wayne and recorded on or after June 1, 2014 and a tax of \$0.25 on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.00.

**SECTION 2**

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

Section 7. Effective Date

This local law shall take effect on the first day of June, 2014, provided a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at least 30 days prior to such date. Certified copies of this local law shall also be filed with the Wayne County Clerk, the Secretary of State, and the State Comptroller within five days after the date it is duly enacted.

Dated: April 3, 2014  
Lyons, New York

Sandra J. Sloane, Clerk  
Wayne County Board of Supervisors

At 9:35 a.m., the Chairman opened the floor for public comment, requesting any persons interested in addressing the Board with their comments and concerns regarding the proposed amendment to the local law to impose a mortgage recording tax within the County of Wayne, to come forth.

No members of the public wished to comment, therefore, the Chairman requested for a motion to close the hearing at 9:36 a.m.

Mrs. Marini moved, seconded by Ms. Park, that the hearing be closed. Upon roll call, carried.

At 9:36 a.m., the Clerk read the title of the second notice of public hearing for today, regarding a proposed Local Law adopting and implementing a pay and performance management plan for the County of Wayne managerial and confidential employees. This Public Hearing was advertised and scheduled for 9:15 a.m. and began at 9:36 a.m. as follows:

**COUNTY OF WAYNE  
NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW**

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on **Tuesday, 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.

Dated: March 19, 2014  
Lyons, New York

Sandra J. Sloane, Clerk  
Wayne County Board of Supervisors

At 9:37 a.m., the Chairman opened the floor for public comment for the opportunity of citizens to express their views on the subject. Chairman Hoffman briefly reviewed the public hearing procedures then invited interested citizens to address the Board from the lower stage.

No members of the public wished to comment, therefore, the Chairman requested for a motion to close the hearing at 9:37 a.m.

Mr. LeRoy moved, seconded by Mrs. Crane, that the hearing be closed. Upon roll call, carried.

**RECESS**

Chairman Hoffman called for a short recess at 9:38 a.m.

**REGULAR SESSION**

The Board resumed regular session at 9:52 a.m.

**RESOLUTION NO. 229-14: AUTHORIZE REIMBURSEMENT AGREEMENT WITH CATHOLIC CHARITIES OF WAYNE COUNTY (CCWC)**

Mr. Manktelow presented the following:

WHEREAS, Catholic Charities of Wayne County (CCWC) has entered into Independent Contractor agreements with Jane Lynch and Michelle Friedman whereby each will provide consulting, facilitating and implementing human service coordination in Wayne County, New York; and

WHEREAS, Catholic Charities has acted satisfactorily in this capacity for the entirety of the 2013 calendar year; and

WHEREAS, the Department of Social Services has agreed to monitor and inform the services of Lynch and Friedman in accordance with the Independent Contractor Agreement and to reimburse CCWC for compensation and expense paid to Lynch and Friedman along with attendant expenses under such agreement, and

WHEREAS, monies are available from the Bullis Fund and the Flex Fund for Family Services (FFFS) for this purpose; now, therefore, be it

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

into a Reimbursement Agreement with CCWC, subject to review of the County Attorney, for the timeframe 1/1/14 – 12/31/14 for an amount not to exceed \$25,000.

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

**RESOLUTION NO. 230-14: AUTHORIZE CONTRACT WITH YOUTH ADVOCACY PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES**

Mr. Manktelow presented the following:

WHEREAS, youth are being placed outside their homes at a significant expense to the County; and

WHEREAS, one of the gateway behaviors to PINS/JD charges is truancy; and

WHEREAS, many of these youth, if given the necessary and appropriate services, could stay in the community; and

WHEREAS, youth already placed outside their homes may be able to be returned to the community if provided the appropriate services; and

WHEREAS, such services and service coordination have been provided and/or effectively arranged for by the Youth Advocacy Program; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a contract, subject to the County Attorney's review, with the Youth Advocacy Program in an amount not to exceed \$436,000 for the timeframe 1/1/14 - 12/31/14 for the purpose of reducing youth out-of-home placements.

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

**RESOLUTION NO. 231-14: AUTHORIZE CONTRACT WITH FAMILY COUNSELING SERVICES OF THE FINGER LAKES FOR THE PROVISION OF SEXUAL ABUSE ASSESSMENT AND TREATMENT SERVICES**

Mr. Manktelow presented the following:

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

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

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract with Family Counseling Services of the Finger Lakes, subject to the approval of the County Attorney, for the provision of sexual abuse assessment and treatment services for an amount not to exceed \$115,293 for the period 1/1/14 – 12/31/14.

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

**RESOLUTION NO. 232-14: APPROVAL OF REQUEST FOR APPOINTMENTS TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD**

Mr. Manktelow presented the following:

WHEREAS, this Board, has authorized the creation of the Finger Lakes Workforce Development Board for the Counties of Wayne, Yates, Seneca and Ontario in compliance with the Workforce Development Investment Act (WIA) of 1998; and

WHEREAS, the Workforce Investment Board members must be appointed by the respective Legislative Boards; and

WHEREAS, the Executive Director has solicited nominations in accordance with the Law; and

WHEREAS, the Finger Lakes Workforce Investment Board by-Laws state voting members shall be appointed for terms of three (3) years, and that terms shall be staggered; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors reappoint the following WIB Members for a term of 7/1/14 – 6/30/17:

**Wayne County Representatives:**

Cheryl Hess, Ultra Life Corporation Director of Human Resources, Newark, NY  
Michele Fortune, HR Business Partner, Rochester General Health System/Newark-Wayne Hospital and DeMay Living Center  
James Marquette, Wayne County Administrator, Wayne County, Lyons, NY

**Public Sector Representatives:**

Robert Doeblin, Geneva Housing Authority/Section 8 Housing, Geneva, NY  
Charles Schillaci, Seneca County Division of Social Services Commissioner, Waterloo, NY

and be it further

RESOLVED, that certified copies of this resolution be sent to Seneca, Yates, Ontario Counties, and the Workforce Investment Board.

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

**RESOLUTION NO. 233-14: AUTHORIZATION TO CONTRACT FOR THE WELLNESS IN NUTRITION (WIN) PROGRAM WITH HOME MEAL SERVICE, INC.**

Mr. Manktelow presented the following:

WHEREAS, the NY State Office for the Aging allocates Wellness In Nutrition (WIN) funds to the Department of Aging and Youth that are utilized to provide home delivered meals for homebound elderly individuals who are nutritionally at risk; and

WHEREAS, the Department of Aging and Youth contracts with Home Meal Service, Inc. to provide this home meal delivery service. The contract year runs for the period of April 1, 2014 through March 31, 2015. The WIN contract is in the amount of \$73,183 plus the contributions and USDA allotment; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Home Meal Service, Inc. in the amount of \$73,183 for the period of April 1, 2014 through March 31, 2015.

Ms. Park moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, all Supervisors voted Aye. Supervisor Crane Abstained from voting. Absent – Supervisors Spickerman, Hammond and Deyo. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 234-14: AUTHORIZATION FOR CONTRACT RENEWAL WITH HOME MEAL SERVICE, INC. FOR SODUS SENIOR CENTER**

Mr. Manktelow presented the following:

WHEREAS, the Department of Aging and Youth contracts with Home Meal Service, Inc. to administer the Sodus Senior Center (congregate meal site), and

WHEREAS, the Wellness in Nutrition (WIN) grant is utilized to fund the Sodus Senior Center. The contract year is for the period of April 1, 2014 through March 31, 2015; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Home Delivered Meal Service Program to run the Sodus congregate meal site, in the amount of \$8,000 for the period of April 1, 2014 through March 31, 2015.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, all Supervisors voted Aye. Supervisor Crane Abstained from voting. Absent – Supervisors Spickerman, Hammond and Deyo. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 235-14: AUTHORIZATION TO RENEW THE 2014 TITLE III C-2 CONTRACT WITH HOME MEAL SERVICE, INC. THE DEPARTMENT OF AGING AND YOUTH**

Mr. Manktelow presented the following:

WHEREAS, the Federal Older Americans Act allocates Title III C-2 funding to provide home delivered meals to homebound elderly individuals who are nutritionally at risk; and

WHEREAS, the Department of Aging and Youth contracts with the Home Meal Service, Inc. to provide the home meal delivery service. The Title III C-2 contract is in the amount of \$31,816 plus the contributions and USDA allotment. Home Meal Service provides the \$3,536 match; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Home Delivered Meal Service, in the amount of \$31,816 for the period of April 1, 2014 through March 31, 2015.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, all Supervisors voted Aye. Supervisor Crane Abstained from voting. Absent – Supervisors Spickerman, Hammond and Deyo. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 236-14: AUTHORIZATION TO CHANGE PART TIME PERSONNEL CLERK POSITION IN VETERANS SERVICES AGENCY TO FULL TIME AND TO AMEND BUDGET**

Mr. Manktelow presented the following:

WHEREAS, the Veterans Services Agency is requesting to change the part time Personnel Clerk in the department to full time; and

WHEREAS, as a part time Personnel Clerk the incumbent works 24 hours per week and as a full time position the incumbent will work 35 hours per week; and

WHEREAS, the authorized added amount of time is necessary because of increased workload within the department; and

WHEREAS, the overall volume of contacts between Veterans Services Agency and stakeholders such as veterans, surviving spouses, and dependents has increased by 37 percent over the past five years; and

WHEREAS, the volume of burial related claims has increased by over 40 percent from 2009 to 2013; and

WHEREAS, this change has been reviewed by the Human Resources Director; now, therefore, be it

RESOLVED, that the Personnel Clerk position in the Veteran Services Agency is hereby changed effective April 25, 2014 from a part time (24 hours per week) to full time (35 hours per week) position at an annual salary of \$35,828; and be it further

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

**A1990 Contingent Fund Gen**

\$9,519 from .54000 Contractual Expenses

**A6510 Veterans Services**

\$16,078 from .51069 Personnel Clerk part time

\$23,426 to .51699 Personnel Clerk (Vets)

\$ 1,609 to .58100 Payments to NYS Retirement

\$ 562 to 58200 Payments to Social Security

Mrs. Crane moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Spickerman, Hammond and Deyo. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 237-14: AUTHORIZATION TO SET SALARY FOR SR. PROGRAM SUPERVISOR POSITION IN THE MENTAL HEALTH DEPARTMENT**

Mr. Groat presented the following:

WHEREAS, a Sr. Program Supervisor position in the Mental Health Dept. recently became vacant effective March 13, 2014; and

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

WHEREAS, the County anticipates developing such a schedule in the future; 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 Director of Mental Health and the County Administrator recommends a starting salary for this position consistent with the Mental Health Departments 2014 Budget; and

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

RESOLVED, the salary for the vacant Sr. Program Supervisor, a confidential-management position in the Department of Mental Health, is hereby set up to \$62,000 annually, effective April 15, 2014.

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

**RESOLUTION NO. 238-14: AUTHORIZATION FOR THE MENTAL HEALTH DEPARTMENT TO ABOLISH ONE FULL-TIME ASSISTANT SOCIAL WORKER POSITION AND TO CREATE ONE FULL-TIME SUPPORTIVE CASE MANAGER POSITION AND AMEND THE 2014 BUDGET**

Mr. Groat presented the following:

WHEREAS, the Mental Health Department has a vacant Assistant Social Worker position due to a resignation of the individual who formerly held this position; and

WHEREAS, due to the implementation of Health Homes, the Office Mental Health and the Department of Health has created the role of "Care Manager" to replace the role and functions formerly known as "Targeted Case Manager"; and

WHEREAS, the case manager role has historically been staffed by individuals in the title of Assistant Social Worker, Supportive Case Manager and Community Mental Health Aide; and

WHEREAS, the Department is engaged in Care Manager services via a contract with the Health Home of Upstate NY and so that this role coincides with the appropriate minimum credentials allowed for this role, we would like to utilize the Supportive Case Manager title to more accurately reflect these changes, which also will result in significant cost savings to the department; and

WHEREAS, the Director of Mental Health is requesting that the 2014 budget be amended to reflect the change in title of said positions; therefore, be it

RESOLVED, that one position title of Assistant Social Worker set-forth in the Mental Health Dept 2014 Budget be abolished, and one new Supportive Case Manager position be created; and be it further

RESOLVED, that the Wayne County Treasurer is authorized to make the following 2014 Budget amendment:

**Account No. A4300 – Behavioral Health**

(Appropriations)

\$22,000 from 51258 Assistant Social Worker

\$22,000 to 51661 Supportive Case Manager

Mrs. Crane moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Spickerman, Hammond and Deyo. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 239-14: AUTHORIZATION TO THE MENTAL HEALTH DEPARTMENT TO CONTRACT WITH THE VILLA OF HOPE TO PROVIDE HOME AND COMMUNITY BASED CHILDREN'S WAIVER SERVICES**

Mr. Groat presented the following:

WHEREAS, the Mental Health Department has been awarded additional mental health resources from the New York State Office of Mental Health for Children's Waiver Services and therefore wishes to establish a contract for the 2014 budget year with the Villa of Hope (formerly St. Josephs Villa) for the purposes of the delivery and provision of mental hygiene related community program services in Wayne County, which will be funded by the NYS Office of Mental Health (OMH); now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board, subject to the County Attorneys review as to form and content, are authorized to contract with the Villa of Hope for the provision of mental hygiene services funded by OMH for the provision of Home and Community Based Children's Waiver Services in Wayne County.

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

**RESOLUTION NO. 240-14: AUTHORIZATION TO CONTRACT WITH RUSSELL PHILLIPS & ASSOCIATES FOR FIRE SAFETY TRAINING FOR THE WAYNE COUNTY NURSING HOME**

Mr. Groat presented the following:

WHEREAS, Wayne County Nursing Home requires to train all employees annually in fire safety; and

WHEREAS, staff training requires offering multiple sessions across the three (3) shifts for four (4) days; and

WHEREAS, Russell Phillips & Associates has expertise in fire and emergency management for health care facilities and has provided this training to the Nursing Home staff for many years;

WHEREAS; the fee for such service is \$3,303.00 for one year; and now therefore, be it

RESOLVED, that the Administrator of the Wayne County Nursing Home be authorized and directed to execute an agreement with Russell Phillips & Associates for the provision of fire safety training, subject to the County Attorney's approval as to form and content, for the period June 1, 2014 – December 31, 2014 at a fee of \$3303.00 a year.

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

**RESOLUTION NO. 241-14: AUTHORIZING TO ABOLISH AND CREATE NURSING POSITION FOR THE WAYNE COUNTY NURSING HOME**

Mr. Groat presented the following:

WHEREAS, two (2) full time Registered Nurses positions have been vacant for over 12 months; and

WHEREAS, the nursing home experienced high turnover and vacancy in the 3-11 Registered Nurse position until a full time Registered Nurse Supervisor for 3-11 & 11-7 shift was established;

WHEREAS, the nursing home's residents would be better served by higher levels of Registered Nurse Supervision on the 3-11 & 11-7 shifts; and

WHEREAS, the nursing home can accomplish this by re-organizing an existing full time RN Supervisor position and two (2) vacant full time Registered Nurse positions with no additional cost to the county; and now therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Wayne County Nursing Home to eliminate two (2) full time Registered Nurse positions and create a second full time Registered Nurse Supervisor and a substitute Registered Nurse position; and be further

RESOLVED, that the Treasurer is authorized and directed to make the following 2014 budget adjustments:

E60001 – Nursing Home

\$ 60,242 from 51303 E6020 Registered Professional Nurse  
\$ 60,242 to 51164 E6010 Supervising RN  
\$ 32,054 from 51303 E6020 Registered Professional Nurse  
\$ 32,054 to 51651 E6020 Supervising RN Substitute

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Miller. all Supervisors voted Aye. Absent – Supervisors Spickerman, Hammond and Deyo. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 242-14: AUTHORIZATION TO CONTRACT WITH WAYNE-FINGER LAKES BOCES FOR TRANSPORTATION FOR THE EARLY INTERVENTION AND THE PRE-K PROGRAMS**

Mr. Groat presented the following:

WHEREAS, the County is required to provide transportation for children in the Early Intervention and the Pre-K programs, and currently holds a contract with the Wayne-Finger Lakes BOCES to provide such service for the period July 1, 2013 through June 30, 2014; and

WHEREAS, transportation is required for the following sites: Wayne County Chapter ARC facility located in Newark, programs at the Red Creek Central School and the Williamson Central School, and the Stepping Stones Learning Center program at the Children's Continuous Care in Macedon and within Wayne County for Childcare; and

WHEREAS, for the period of July 1, 2014 through June 30, 2015 the transportation rate will be \$41.00 per child per day with a minimum charge of \$123.00 when transporting fewer than three children on any particular route; and

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with the Wayne - Finger Lakes BOCES for transportation of children in the Early Intervention and Pre – K programs to the Wayne County Chapter ARC facility in Newark, programs at the Red Creek Central School and the Williamson Central School, the Stepping Stones Center program at the Children's Continuous Care in Macedon and within Wayne County for Childcare, for the period of July 1, 2014 through June 30, 2015, for the amount of \$41.00 per child per day with a minimum charge of \$123.00 when transporting fewer than three children on any particular route, subject to the approval of the County Attorney as to form and content.

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

**RESOLUTION NO. 243-14: AUTHORIZATION TO APPLY TO THE NEW YORK STATE DEPARTMENT OF HEALTH TO BECOME A REGISTERED OPIOID OVERDOSE PREVENTION PROGRAM**

Mr. Groat presented the following:

WHEREAS, with the implementation of the Internet System for Tracking Over-Prescribing – Prescription Monitoring Program (I-STOP / PMP) in August 2013, the incidence of opioid overdose is expected to rise in Wayne County; and

WHEREAS, individuals may turn to other sources of opioid; and

WHEREAS, the Wayne County Sheriff's Office (WCSO) is often a first responder to a medical emergency, the likelihood of encountering an opioid overdose situation has increased; and

WHEREAS, it has been identified that Wayne County Public Health (WCPH) is qualified to apply to the New York State Department of Health (NYSDOH) to be a registered provider and administrator of an Opioid Overdose Prevention Program; and

WHEREAS, WCPH will work in conjunction with the WCSO to provide training to all identified WCSO road patrol deputies, jail employees and other police departments within Wayne County to safely administer Naloxone (Narcan) to individuals whom present with opioid

overdose symptoms; and

WHEREAS, the Naloxone (Narcan) Kits are provided by the NYSDOH for free; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to submit an application to the NYSDOH to become a registered provider of the Opioid Overdose Prevention Program.

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

**RESOLUTION NO. 244-14: AUTHORIZING CONTRACT FOR FURNISHING NURSING HOME CARE TO BENEFICIARIES OF THE VETERANS SERVICE ADMINISTRATION**

Mr. Groat presented the following:

WHEREAS, the contract between the County of Wayne and the Veterans Service Administration for furnishing nursing home care services to beneficiaries of the Veterans Service Administration expires on August 1, 2014; and

WHEREAS, the Wayne County Nursing Home is renewing said contract for the period of August 1, 2014 – July 31, 2015 at no cost to the nursing home; now, therefore, be it

RESOLVED, Authorize the Chairman of the Wayne County Board of Supervisors to execute a Contract/Award for Furnishing Nursing Home Services to Beneficiaries of the Veterans Administration at a per diem fee to be negotiated by the Administrator for the period August 1, 2014 to July 31, 2015.

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

**RESOLUTION NO. 245-14: AUTHORIZATION TO SOLICIT REQUESTS FOR PROPOSALS TO COMPLETE A COMPREHENSIVE EVALUATION OF REVENUE GENERATING FUNCTIONS FOR THE WAYNE COUNTY NURSING HOME**

Mr. Groat presented the following:

WHEREAS, the Nursing Home is seeking proposals to complete a comprehensive evaluation of its revenue generating functions that will result in an action plan; and

WHEREAS, the evaluation will need to consider the admission, billing, and collections processes, potential cost savings measures, and modifications of processes to maximize efficiency and prepare the business office for changes that will be needed as Medicaid Managed Care becomes effective in 2014; and

WHEREAS, the outcome of the evaluation will be an action plan based on the consultant's recommendations; and

WHEREAS, the proposal will set out the timeframes for the evaluation and the completion of the action plan, and give a single price for all of the scope of work; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home Administrator is hereby authorized and directed to prepare specifications for the proposal of a comprehensive evaluation of revenue generating functions with the approval of the County Attorney as to content and form; and be it further

RESOLVED, that the Clerk of the Board is hereby authorized to advertise for said bid and report the results to the Board for award.

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

**RESOLUTION NO. 246-14: AUTHORIZATION TO SOLICIT REQUESTS FOR PROPOSALS TO MANAGE COLLECTION OF OVERDUE BILLS FOR THE WAYNE COUNTY NURSING HOME**

Mr. Groat presented the following:

WHEREAS, the Nursing Home is seeking proposals to manage its collection of overdue bills; and

WHEREAS, the proposal would address conditions for when the collection agency would take over managing an account, the steps, including legal action, if any, that they would take to resolve the overdue bills, and the payment structure to the Nursing Home based on amounts collected; and

WHEREAS, any legal action will require periodic review with the County Attorney; and

WHEREAS, the proposal will set out the fee structure for the collection services and related activities from May 1, 2014 to April 30, 2015; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home Administrator is hereby authorized and directed to prepare specifications for the proposal to manage collection of overdue bills with the approval of the County Attorney as to content and form; and be it further

RESOLVED, that the Clerk of the Board is hereby authorized to advertise for said bid and report the results to the Board for award.

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

**RESOLUTION NO. 247-14: AUTHORIZATION TO DECLARE VEHICLE SURPLUS AND REQUEST SURPLUS VEHICLE FOR THE WAYNE COUNTY NURSING HOME**

Mr. Groat presented the following:

WHEREAS, the following vehicle is in poor condition, needs several repairs, and is no longer of use by the Wayne County Nursing Home:

2003 Ford Crown Victoria Vin No. 2FAFP71W33X137558

now, therefore, be it

RESOLVED, that the vehicle listed above is hereby declared surplus and shall be disposed of in accordance with the Surplus Vehicle Disposition Procedure outlined in Resolution No. 128-09; and be it further

RESOLVED, that a vehicle, declared surplus by Wayne County Public Health department (RES 484-13) be transferred to the Wayne County Nursing Home to be used by staff:

2007 – Ford Focus - Green Vin No. 1FAFP34N97W289003

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

**RESOLUTION NO. 248-14: AUTHORIZATION TO DECLARE REFRIGERATOR AS SURPLUS FOR WAYNE COUNTY PUBLIC HEALTH**

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) has identified a refrigerator as surplus and wishes to have it removed from the Public Health break room; and

WHEREAS the Kenmore Refrigerator, Model # 363 8604612, SN # L919 40198, is in good working condition; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to surplus a Kenmore Refrigerator, Model #363 8604612, SN # L919 40198, which is in good working condition, as per the Wayne County Surplus Equipment Disposition policy.

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

**RESOLUTION NO. 249-14: AUTHORIZATION TO APPLY FOR FUNDING FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE TO SUPPORT A BICYCLE HELMET DISTRIBUTION PROGRAM FROM OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015**

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) has already established a successful bicycle helmet distribution program in Wayne County; and

WHEREAS, WCPH would like to apply for funding to continue the bicycle helmet

distribution program; now, therefore, be it

RESOLVED, that the Director of WCPH is hereby authorized and directed to apply for this grant in an amount of \$6,000 for the period of October 1, 2014 through September 30, 2015 on behalf of the County of Wayne; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with New York State Governor's Traffic Safety Committee for the period of October 1, 2014 through September 30, 2015 for an amount not to exceed \$6,000, upon approval of the County Attorney as to form and content.

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

**RESOLUTION NO. 250-14: AUTHORIZATION TO APPLY FOR FUNDING FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY CHILD PASSENGER SAFETY PROGRAM FROM 10/1/2014 THROUGH 9/30/2015**

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently has funding to provide a child passenger safety seat program and would like to continue this program; and

WHEREAS, WCPH would apply for funding for the permanent fitting station to inspect car seats; coordinate major child safety seat check events; and continue the low income safety seat distribution program; now, therefore, be it

RESOLVED, that the Director of WCPH is hereby authorized and directed to apply for this grant for an amount of \$20,000 for the period of October 1, 2014 through September 30, 2015 on behalf of the county of Wayne; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with the New York State Governor's Traffic Safety Child Passenger Safety Program, upon review and approval of the County Attorney as to form and content, for an amount not to exceed \$20,000 for the period October 1, 2014 through September 30, 2015.

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

**RESOLUTION NO. 251-14: AUTHORIZATION TO APPLY FOR EXTENSION OF GRANT FUNDS FOR THE WAYNE COUNTY BOARD OF ELECTIONS**

Mrs. Crane presented the following:

WHEREAS, that Wayne County has contracts with the New York State Board of Elections for Voter Education/Poll Worker Training with a balance of \$206.70 and New York State Poll Site Access Improvement with a balance of \$999.66, which will end on March 31, 2014 unless otherwise extended; and

WHEREAS, that the New York State Board of Elections is working to extend said contracts for another year from April 1, 2014 to March 31, 2015; and

WHEREAS, that Wayne County must file for contract extensions with the New York State Board of Elections in order to extend said contracts; and

WHEREAS, that Wayne County is desirous in extending said grant contracts; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County of Supervisors is authorized to execute a request for extension through March 31, 2015 with the New York State Board of Elections for the Voter Education/Poll Worker Training and the New York State Poll Site Access Improvement grant contracts.

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

**RESOLUTION NO. 252-14: AUTHORIZATION TO APPLY FOR EXTENSION OF THE C003252 SHOEBOX GRANT CONTRACT FOR THE WAYNE COUNTY BOARD OF ELECTIONS**

Mrs. Crane presented the following:

WHEREAS, that Wayne County has a contract with the New York State Board of Elections for C003252 SHOEBOX grant funds, which will end on March 31, 2014 unless otherwise extended; and

WHEREAS, that the New York State Board of Elections is working to extend said contract for another two years from April 1, 2014 to March 31, 2016; and

WHEREAS, that Wayne County must file for a contract extension with the New York State Board of Elections in order to extend said contract; and

WHEREAS, that Wayne County is desirous in extending said grant contract; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County of Supervisors is authorized to execute a request for extension through March 31, 2016 of the C003252 SHOEBOX grant contract.

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

**RESOLUTION NO. 253-14: AUTHORIZATION TO EXECUTE CONTRACT RENEWAL FOR MICROFILM UNITS MAINTENANCE CONTRACT FOR WAYNE COUNTY HISTORIAN**

Mrs. Crane presented the following:

WHEREAS, that the Office of the County Historian has (1) Canon MS400, FP 400 and AC 100R microfilm reader, scanner and printing system and also has (1) Canon MP90 and RFC 200 microfilm reader, scanner and printing system; and

WHEREAS, that the County has contracted with Biel's Information Technology Systems to provide preventative maintenance services on the above said systems; and

WHEREAS, that the current contract period is from May 13, 2013 through May 12, 2014; and

WHEREAS, that the County is desirous in renewing the contract for the period May 13, 2014 through May 12, 2015 at a cost not to exceed \$1,920.00; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract on behalf of Wayne County, subject to the County Attorney's approval as to form and content, with Biel's Information Technology Systems, for the above said systems for the period May 13, 2014 through May 12, 2015 at a cost not to exceed \$1,920.00.

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

**RESOLUTION NO. 254-14: ADOPTION OF LOCAL LAW AUTHORIZING THE ADOPTION OF SALARY ADMINISTRATION PROGRAM FOR MANAGEMENT AND CONFIDENTIAL POSITIONS**

Mrs. Crane presented the following:

WHEREAS, 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 was presented to the Board of Supervisors on March 18, 2014; and

WHEREAS, a public hearing on the proposed local law was held on April 15, 2014 at 9:15 a.m. in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

**COUNTY OF WAYNE - STATE OF NEW YORK  
LOCAL LAW NO. 2 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

- d. "County" shall mean the County of Wayne County
- e. "Board" shall mean the Board of Supervisors of the County of Wayne County
- f. "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:

- e. Establish pay-grades for the Managerial and Confidential employee group,
- f. Assign position titles and to established pay-grades
- g. 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.
- h. 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.

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

#### **RESOLUTION NO. 255-14: AUTHORIZATION TO CONTRACT WITH DOMINION VOTING SYSTEMS TO PRINT ALL BALLOTS AND PROVIDE MATERIALS FOR ALL ELECTIONS CONDUCTED BY THE WAYNE COUNTY BOARD OF ELECTIONS AS STATED IN ATTACHED CONTRACT**

Mrs. Crane presented the following:

WHEREAS, the County has previously purchased voting machines and voting related systems from Dominion pursuant to New York State Contract #NEG-21231 ("State Contract"), and whereas the County has also purchased ballots for use with said systems from Dominion in years past pursuant to the State Contract; and

WHEREAS, Dominion uses certified ballots printers as subcontractors for printing ballots in the State of New York. For the production of the County's ballots, Dominion's certified printer subcontractor is Phoenix Graphics, Inc. ("Phoenix"); and

WHEREAS, Dominion offers to provide the County ballots at a reduced rate, pursuant to the State Contract, in consideration of the terms described in the contract; and

WHEREAS, the County is authorized by state law to purchase ballots from Dominion through the State Contract at a price equal to or below the price stated in the State Contract; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign contract on behalf of the Wayne County Board of Elections, subject to the County Attorney's approval.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Manktelow.

Mr. LeRoy asked if there was any costs for this contract with Dominion Voting Systems; and shared his concerns with the overall costs and problems associated with the implementation of the new voting machine equipment.

The cost will be determined by the number of primaries held and candidates that run. County Administrator Marquette explained that non-budgeted funds would have to come from contingency; and further recommended an amendment the title of this resolution.

Mr. LeRoy moved, seconded by Mr Manktelow that the resolution be amended by removing the words "**AS STATED IN ATTACHED CONTRACT**".

Motion, carried.

Upon roll call on the amended resolution, adopted.

#### **RESOLUTION NO. 256-14: AUTHORIZATION TO SIGN AUDIT ENGAGEMENT LETTER**

**FOR RAYMOND F. WAGER, CPA AND AMEND BUDGET**

Mrs. Crane presented the following:

WHEREAS, the County is required to have audit services provided for various oversight and regulatory agencies of the State Government; and

WHEREAS, the County has not previously conducted an audit of the Deferred Compensation (457) Plan; and

WHEREAS, the current contract with Mass Mutual includes \$5,000 to pay for a first-time audit of the Deferred Compensation Plan; and

WHEREAS, the County has engaged the services of Raymond F. Wager, CPA and wishes to have his firm conduct this audit of the Deferred Compensation Plan; and

WHEREAS, the Raymond F. Wager, CPA has agreed that the audit can be accomplished at a cost of no more than \$5,000; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an engagement letter with Raymond F. Wager, CPA to conduct and audit of the Deferred Compensation (457) Plan, not to exceed \$5,000; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized to make further budget adjustments.

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

**RESOLUTION NO. 257-14: ACKNOWLEDGE COUNTY PLANNING BOARD MEMBER APPOINTMENTS**

Mr. Groat presented the following:

WHEREAS, the terms of office for the following members of the Wayne County Planning Board will expire on April 30, 2014:

Michael Schuth, 32 Kemp Drive, Macedon, NY 14502

Steve Guthrie, PO Box 461, North Rose, NY 14516

Ken Burgess, 6459 East Port Bay Road, Wolcott NY 14590

Now, therefore be it

RESOLVED, that Michael Schuth, Steve Guthrie and Ken Burgess shall be reappointed for additional three year terms of office to the County Planning Board, effective May 1, 2014 to April 30, 2017.

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

**RESOLUTION NO. 258-14: SETTING PUBLIC HEARINGS FOR CDBG APPLICATION**

Mr. Groat presented the following:

WHEREAS, it is anticipated that the Office of Community Renewal will solicit proposals from municipalities under the 2014 Community Development Block Grant (CDBG) program; and

WHEREAS, potential applicants for CDBG funding are required under 24 CFR570.486 and NYS's Citizen Participation Plan to schedule and conduct an advertised public hearing prior to the submission of such applications to give the public the opportunity to suggest projects for municipalities to consider; and

WHEREAS, the purpose of the hearing is to gain citizen input as to their needs and potential CDBG-funded projects for consideration by the County, including Housing, Economic Development and Infrastructure; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the Clerk of the Board to advertise and the Economic Development and Planning Department to conduct the hearing in time to permit the filing of a 2014 Community Development Block Grant application; and be it further

RESOLVED, that the hearing be set for April 28, 2014 at 10:00 a.m. in the Conference Room at 16 William Street, Lyons, New York; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to publish notice in the legal

newspapers for the County for the first available publication.

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

**RESOLUTION NO. 259-14: RESOLUTION IN OPPOSITION TO NEW YORK STATE-WIDE MANDATORY LABELING OF FOODS PRODUCED THROUGH THE UTILIZATION OF BIOTECHNOLOGY**

Mr. Groat presented the following:

WHEREAS, State-wide mandatory labeling of foods using biotechnology would result in significantly higher costs for consumers, due to increased product pricing as well as added enforcement costs; and

WHEREAS, Scientific testing conducted in hundreds of facilities all over the worlds have concluded that these products are completely safe, and are the same compositionally, as conventionally produced foods; and

WHEREAS, Crops and food products that utilize biotechnology are stringently reviewed, studied, and regulated, and only approved by the Food and Drug Administration after several years (13 years on average) of scientific testing; and

WHEREAS, State-wide mandatory labeling would be very costly to local farmers and small businesses, creating a burdensome regulatory process through additional paperwork, record-keeping, sorting and labeling, etc.; and

WHEREAS, Consumers already enjoy many choices in terms of food products available, such as Organic, Non-GMO, Naturally Grown, and others; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors is opposed to State-wide mandatory labeling of foods produced through the utilization of biotechnology; 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 Governor Andrew Cuomo, Senator Michael Nozzolio, Assemblyman Robert Oaks and all those deemed necessary and proper.

Mr. Manktelow moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, all Supervisors voted Aye, except Supervisor Baldrige who voted Nay. Absent – Supervisors Spickerman, Hammond and Deyo. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 260-14: AUTHORIZATION TO ENTER INTO A LICENSE AGREEMENT WITH WILLIAMSON SCHOOL DISTRICT TO HOST THE CAPTAINS AND SAILORS 5K RACE**

Mr. Miller presented the following:

WHEREAS, the Williamson School District has requested the use of Forman Park again for the staging of the Captains and Sailors 5K Race on Saturday, July 19<sup>th</sup>, 2014; and

WHEREAS, the Williamson School District will set up the course and transition area in a designated section of the Forman Park Parking lot commencing on July 19<sup>th</sup>, 2014, at 6:00 AM; and

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

RESOLVED, that the Chairman of the 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 Williamson School District, for the purposes of staging the Captains and Sailors 5K Race on July 19<sup>th</sup>, 2014 based out of Forman Park.

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

**RESOLUTION NO. 261-14: AUTHORIZATION TO AWARD BIDS FOR JANITORIAL AND**

**CUSTODIAL SERVICES FOR WAYNE COUNTY OFFICE BUILDING NOS. 003, 004 AND 015**

Mr. Miller presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for Janitorial and Custodial Services for the Wayne County Office Building Nos. 003 (County Clerk), 004 (Treasurer) and 015 (Highway), located in Lyons, New York for the contract period of June 1st, 2014 through May 31, 2016; and

WHEREAS, the following bids were received by the deadline and opened on Friday, March 14, 2012, at 2:00 pm.:

<b>Bidder &amp; Address</b>	<b>1st Yr Annual Cost</b>	<b>2nd Yr Annual Cost</b>	<b>Total Base Bid</b>
NSI Clean LLC. 70 Maple Dr. Middletown, NY 10941	\$32,160.00	\$32,160.00	\$64,320.00
ABM 6171 East Molloy Rd. E Syracuse, NY 13057	\$38,586.84	\$40,275.00	\$78,861.84

Quality Janitorial Services  
P.O. Box 493  
Newark, NY 14513  
and

WHEREAS, by law the New York State Industries for the Disable (NYSID) is allowed to provide separator pricing as a NYS "Preferred Source" vendor; and

WHEREAS, NYSID has provided the County with the following cost:

<b>Bidder</b>	<b>1st Yr Annual Cost</b>	<b>2nd Yr Annual Cost</b>	<b>Total Base Bid</b>
NYSID	\$36,826.44	\$37,517.40	\$74,343.84

and,

WHEREAS, The County has reviewed such bids and deemed NSI Clean LLC. as a non-responsive bidder not meeting the specifications as outlined in the bidding documents and have disqualified NSI Clean LLC ; and

WHEREAS, by the County is required to select a Preferred Source service vendor if with fifteen percent (15%) of the prevailing market price, now, therefore be it

RESOLVED, that the bids submitted for Janitorial and Custodial Services for the contract period June 1st, 2014 through May 31, 2016, for various County Office Buildings are hereby awarded to NYSID for a cost of \$74,343.84 with the option to extend the contract for three additional years and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute contracts accordingly, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content for the contract period of June 1st, 2014 through May 31, 2016.

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

**RESOLUTION NO. 262-14: AUTHORIZATION TO ADVERTISE FOR BID FOR A BRUSH CHIPPER FOR THE HIGHWAY DEPARTMENT**

Mr. Miller presented the following:

WHEREAS, the 2014 budget addendum includes funds for a brush chipper for the Highway department, and

WHEREAS, the anticipated cost of a new brush chipper will require a competitive bid based on specifications developed by the Superintendent of Public Works, 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



season.

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

**RESOLUTION NO. 266-14: AUTHORIZATION TO EXTEND CONTRACT WITH WAYNE COUNTY ACTION PROGRAM INC. FOR THE OPERATION OF THE CONCESSION STAND AT SODUS POINT**

Mr. Miller presented the following:

WHEREAS, resolution 322-13 authorized an agreement between Wayne County and the Wayne County Action Program Inc. (Wayne CAP) for the operation of the concession stand at the Sodus Point Park; and

WHEREAS, Wayne CAP wishes to extend the contract for one additional year under the same terms as the original agreement as authorized in resolution 322-13; and

WHEREAS, Wayne CAP will pay Wayne County \$750 for the rental of the concession stand for the 2014 season; now, therefore, be it

RESOLVED, that that Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to extend a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Wayne County Action Program, Inc. to operate the concession stand.

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

**RESOLUTION NO. 267-14: AUTHORIZATION TO SOLICIT FOR PROPOSALS FOR THE ASBESTOS ABATEMENT DESIGN SERVICES IN 24 CHURCH STREET AND 30 CHURCH STREET**

Mr. Miller presented the following:

WHEREAS, Wayne County owns buildings located at 24 Church Street and 30 Church Street in Lyons; and

WHEREAS, both of these buildings are currently unoccupied with no future plans to be used by Wayne County staff, and

WHEREAS, both of these buildings have asbestos containing materials within them which should be abated before any further action is taken with these structures, now, therefore be it

RESOLVED, that the Superintendent of Public Works is authorized to solicit proposals from qualified designers for the sampling, testing and design of an abatement plan for 24 and 30 Church Street in Lyons.

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

**RESOLUTION NO. 268-14: AUTHORIZATION TO ENTER INTO AGREEMENT WITH THE NYSDOT FOR REIMBURSEMENT ON THE WHITBECK ROAD BRIDGE REHABILITATION PROJECT**

Mr. Miller presented the following:

WHEREAS, the Whitbeck Road bridge Rehabilitation project in Palmyra, Identification Number (PIN) 4760.61, has been authorized \$89,000 at a funding ratio of 80% federal funds and 20% local funds; and

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

WHEREAS, the County of Wayne desires to advance the Project by making a

commitment of 100% of the non-federal share of the costs of \$17,800 (20%); now, therefore, be it

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

RESOLVED, that the Chairman of the Wayne county Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the New York State for the Whitbeck Road bridge rehabilitation project (PIN 4760.61); and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$17,800 from the D Fund Balance and to amend the 2014 County Budget as follows:

**D5112 – ROAD CONSTRUCTION:**

(appropriation)

\$89,000 to .52904 Whitbeck Road bridge project

**D9999 – OTHER:**

(Revenue)

\$71,200 to .44511 Federal Aid-Marchiselli Funds

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

**RESOLUTION NO. 269-14: AUTHORIZATION TO TRANSFER FUNDS IN THE HIGHWAY DM FUND FOR THE PURCHASE OF CHAINSAWS**

Mr. Miller presented the following:

WHEREAS, the Wayne County Highway Department has a need to replace three broken/worn saws used by the Highway crews; and

WHEREAS, it is more prudent to purchase replacement saws than to repair the existing broken/worn saws, and

WHEREAS, the account for the Highway and Street Equipment (DM 5130 52400) does not include funds for the purchase of the saws; now, therefore, be it

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

**DM5130 Road Machinery**

\$983.88 from 54425 Equipment- Maint and Repair

\$983.88 to 52400 Highway and Street Equipment

and be it further

RESOLVED, that the Superintendent of Public Works is authorized to purchase the three replacement saws at a total cost of 983.88.

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

**RESOLUTION NO. 270-14: AUTHORIZATION TO AMEND PUBLIC WORKS BUILDING & GROUNDS BUDGET AND PURCHASE REPLACEMENT DRYERS FOR WAYNE COUNTY JAIL**

Mr. Miller presented the following:

WHEREAS, the Wayne County Jail has had a failure of one of its commercial clothes dryers and another one that is about to fail; and

WHEREAS, Public Works Department has solicited cost to have the dryers repaired and have received cost exceeding \$2,000 per unit to make such repairs; and

WHEREAS, the current dryers age is over 13 years old; and

WHEREAS, new replacement dryers can be purchased on State Contract for a price of \$2,320.94 each delivered to the County; and

WHEREAS, it is more advantageous for the County to purchase new dryers than repairing the existing ones; now, therefore, be it

RESOLVED, the Superintendent of Public Works is authorize to purchase replacement

dryers for a cost not to exceed \$2,320.94 per unit; and be it further  
RESOLVED, that the County Treasurer make the following adjustment to the 2014  
Wayne County Building & Ground budget:

~~**A1615 Buildings & Grounds**  
\$ 4,642 from .54407 Building Maintenance & Repair  
\$ 4,642 to .52500 Other Equipment~~  
and be it further

RESOLVED, that the non-working units be disposed of as scrap.

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

Mr. Miller moved, seconded by Mr. Kolczynski to amend the resolution by using the  
following accounts:

**A1615 Buildings & Grounds**  
(Appropriations)  
\$ 4,642 from .54407 Building Maintenance & Repair

**A3150 Jail**  
(Appropriations)  
\$ 4,642 to .52500 Other Equipment

Motion carried.  
Upon roll call, the Chairman declared the amended resolution adopted.

**RESOLUTION NO. 271-14: AUTHORIZATION TO MAKE REPAIRS TO ROAD MACHINERY  
EQUIPMENT AND AMEND THE 2014 BUDGET**

Mr. Miller presented the following:

WHEREAS, The B Forman Park shoreline stabilization project (H19152-52700) has  
been completed by utilizing staff and equipment from the Highway department; and

WHEREAS, this work consisted mostly of the hauling and placement of very large quarry  
stone to armor the shoreline; and

WHEREAS, during the course of the project, the three 10-wheel trucks and excavator  
used have sustained a fair amount of damage from the handling of the large stone; and

WHEREAS, the Superintendent of Public Works has estimated the costs for replacement  
or repair parts for the equipment to be \$40,900; and

WHEREAS, Road Machinery (DM) Fund will charge the B Forman Park shoreline  
stabilization project for rental of equipment, equivalent to the cost of the replacement or repair  
parts; now, therefore be it

RESOLVED, that the Superintendent of Public Works is authorized to make repairs to  
the three 10-wheel trucks and one rubber tired excavator; and be it further

RESOLVED, that the Treasurer is authorized to make the following adjustments to the  
2014 Road Machinery Budget:

**DM9999 Other Revenue**  
(Revenues)  
\$40,900 to 42822 Machinery Rental

**DM5130 Road Machinery**  
(Appropriations)  
\$32,000 to 52400 Highway & Street Equipment  
\$8,900 to 54425 Equipment – Maintenance & Repair

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

**RESOLUTION NO. 272-14: AUTHORIZATION TO SELL VEHICLES AT THE ANNUAL  
PALMYRA MUNICIPAL AUCTION**

Mr. Miller presented the following:

WHEREAS, the following vehicles have been declared surplus by various County departments:

2005 FORD CROWN VIC	2FAHP71W95X173590
2007 FORD CROWN VIC	2FAFP71W97X100570
2008 FORD CROWN VIC	2FAFP71V68X159326
2008 FORD CROWN VIC	2FAFP71V98X159322
2008 FORD CROWN VIC	2FAFP71V88X159330
2008 FORD CROWN VIC	2FAFP71V18X159332
2009 FORD CROWN VIC	2FAHP71V89X139895
2009 FORD CROWN VIC	2FAHP71V29X139892
2001 Dodge Neon	1P3ES46CX1D186505
2006 Ford Taurus	1FAFP53UX6A252333

now, therefore, be it

RESOLVED, that the vehicles listed above be sold at the Annual Palmyra Municipal Auction on May 10, 2014.

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

**RESOLUTION NO. 273-14: AUTHORIZATION TO AMEND PUBLIC WORKS PARKS BUDGET FOR MOWING SERVICES**

Mr. Miller presented the following:

WHEREAS, that resolution No. 186-14 authorized an agreement between the County of Wayne and AJ Lawncare for mowing services for County Parks in the amount of \$23,470; and

WHEREAS, that the agreement will result in a savings of \$15,085 of County Parks costs for 2014; now, therefore, be it

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

A7110 Parks

(appropriations)

\$ 9,200 from .51321 Park Foreman Seasonal

\$18,720 from .51181 Laborer Seasonal

\$ 2,135 from .58200 Payment to Social Security

\$ 5,000 from .58500 Unemployment

\$ 2,000 from .54128 Gasoline-Oil-Lube

\$ 1,500 from .54425 Equipment Repairs

\$23,470 to .54500 Fee for Services Non-Employee

A1990 General Fund Contingencies

(appropriations)

\$15,085 to .54000 Contractual Expenses

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

**RESOLUTION NO. 274-14: AUTHORIZATION TO PURCHASE UTILITY VEHICLE AND AMEND BUILDINGS & GROUNDS AND PARKS BUDGETS**

Mr. Miller presented the following:

WHEREAS, the 2014 Parks Budget has allocated \$4,000 to purchase a Utility Vehicle; and

WHEREAS, the Superintendent of Public Works has solicited vendors for proposals on either new and used vehicle meeting the County specifications; and

WHEREAS, Lakeland Equipment has provided a proposal that most closely meets the specifications for the utility vehicle at a quoted cost of \$4,787.16; and

WHEREAS, the proposed this utility vehicle is also on New York State Contract at the current time; and

WHEREAS, the Superintendent of Public Works has identified the balance of funding in the Buildings & Grounds and Parks budgets from savings on other equipment purchases; now, therefore, be it

RESOLVED, that the Superintendent of Public Works is authorized to purchase the Utility Vehicle at the cost \$4,787.16 from Lakeland Equipment; and be it further

RESOLVED, that the Treasurer is authorized and directed to amend the 2014 Buildings & Grounds and Parks budgets as follows:

**A1615 Building & Grounds**

\$428.85 from 52401 Tools

\$103.68 from 52500 Other Equipment

**A7110 Parks**

\$532.53 to 52500 Other Equipment

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

**RESOLUTION NO. 275-14: AUTHORIZATION TO MODIFY 2012 STATE HOMELAND SECURITY GRANT, AMEND PROJECT ACCOUNT, AMEND BUDGET AND EXPEND FUNDS**

Mr. LeRoy presented the following:

WHEREAS, Resolution No. 312-12 accepted the 2012 State Homeland Security Grant, established a project account and amended the budget; and

WHEREAS, there is an immediate need to purchase Cellular Modems for Law Enforcement, a Lucas CPR Device and ERT Trauma Kit for ALS Services and Communications Equipment for Emergency Management that exceeds the need to update the Comprehensive Emergency Management Plan; now, therefore, be it

RESOLVED, that the Director of Emergency Management and the Emergency Management Office Training

Officer are hereby authorized to amend the 2012 SHSG grant, with said amendment to be signed by the Chairman of the Board of Supervisors; and be it further

RESOLVED that the County Treasurer is authorized to amend Project Account H3917-Homelandsecurity SH12-1002- E00; and be it further

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

**H3917-Homelandsecurity SH12-1002-E00**

(Appropriations)

Amount	Object#	Project ID	Object Name	Description
40,000 from	54520	EMO	Consulting	Comprehensive Emer Mgmt Plan
1,246 from	52000	E911	Equipment & Other Cap Outlay	NetMotion Server
20,920 to	52000	SHER	Equipment & Other Cap Outlay	Cell Modems for Law Enforcement Vehicles
15,400 to	52000	ALS	Equipment & Other Cap Outlay	Lucas CPR Device
1,226 to	54100	ALS	Supplies and Materials	ERT Trauma Kit
3,700 to	52000	EMO	Equipment & Other Cap Outlay	Radio and Communications Equipment; Antenna for Roof for Emergency Management

and be it further

RESOLVED, that the Director of Emergency Management is hereby authorized to make these expenditures in accordance with county purchasing policy.

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

**RESOLUTION NO. 276-14: ACKNOWLEDGE APPOINTMENT OF DEPUTY EMS**

**COORDINATOR**

Mr. LeRoy presented the following:

WHEREAS, there is currently only one Deputy Emergency Medical Coordinator serving Wayne County; and

WHEREAS, to ensure the ability to respond to major incidents, it is desirable to increase this level to two; now therefore be it

RESOLVED, that James E. Lee 10979 Kelsey Road Clyde, NY 14433 is hereby appointed as a Deputy Emergency Medical Coordinator for Wayne County.

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

**RESOLUTION NO. 277-14: TRANSMITTAL TITLE: AUTHORIZATION TO CREATE AND FILL TWO SUBSTITUTE POSITIONS WITHIN THE ALS SERVICES DEPARTMENT**

Mr. LeRoy presented the following:

WHEREAS, Wayne County Advanced Life Support provides vital lifesaving Paramedic prehospital care to any area of Wayne County; and

WHEREAS, departmental staffing for weekend shifts, certain shifts during the week, and vacancies occurring when full time Paramedics are on leave, is provided by the department's part time and substitute staff; and

WHEREAS, from time to time, these non-full time shifts are not covered by the current complement of part time or substitute staff, due to a lack of availability, necessitating that such shifts get covered by full time employees on an overtime basis, covered by the Department Director, or go unfilled; and

WHEREAS, funding for these regularly occurring part time / substitute shifts, as well as for the routine full time vacancies that regularly occur, is already appropriated annually; now, therefore, be it

RESOLVED, that two additional ALS Technician – Substitute positions shall be created within the ALS Services department; and be it further

RESOLVED, that the Director of Disaster Preparedness shall be authorized to fill said positions from a list of eligible candidates, as determined by the Human Resources Department.

Mr. Smith moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Spickerman, Hammond and Deyo. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 278-14: AUTHORIZATION TO AMEND THE WAYNE COUNTY ADVANCED LIFE SUPPORT EMS PERSONNEL TRAINING AGREEMENT**

Mr. LeRoy presented the following:

WHEREAS, Board of Supervisors resolution 430-13 previously authorized a program whereby members of the EMS agencies in the county have an opportunity to ride with the Paramedics of Wayne County Advanced Life Support Services, provided that the primary agency of the member requesting permission to ride with Wayne County ALS forwards a completed EMS Agency Personnel Training Agreement for that member, and

WHEREAS, submitting the previously mentioned Training Agreement for each rider, with said agreement approved by the County Attorney as to form and content, ensures that the primary agency of the riders accepts responsibility for the rider with respect to liability, and holds the County harmless to the fullest extent possible, and

WHEREAS, the existing guidelines for the program limit riders to those personnel who are either current students, or already certified Emergency Medical Technicians at some level, thereby excluding individuals who are not yet enrolled in a class, or are drivers, and

WHEREAS, several EMS agencies have noted that expansion of the program to allow any member in good standing of an EMS agency in the county to participate in this training partnership would be advantageous to the agencies and their training; now, therefore, be it

RESOLVED, that the guidelines for the Wayne County ALS ride – Preceptor Policy

established under Resolution 430-13, and documented in the EMS Personnel Training Agreement, shall remain in effect, except that the program shall be expanded to allow any member in good standing of an EMS agency in Wayne County to participate, regardless of current EMT certification, provided that the primary agency completes the EMS Personnel Training Agreement for each prospective agency member rider.

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

**RESOLUTION NO. 279-14: AUTHORIZATION TO RENEW AND PAY FOR THE ANNUAL PUBLIC DEFENSE CASE MANAGEMENT MAINTENANCE AND SUPPORT AGREEMENT BETWEEN THE WAYNE COUNTY PUBLIC DEFENDER'S OFFICE AND THE NEW YORK STATE DEFENDERS ASSOCIATION, INC.**

Mr. LeRoy presented the following:

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

WHEREAS, the New York State Defenders Association, Inc. and the Wayne County Public Defender's Office have entered into an annual agreement for the support and maintenance of said program which includes software maintenance, bug fixes, new software releases and unlimited telephone support; and

WHEREAS, the annual payment for the maintenance and support agreement is \$ 1,500; and

WHEREAS, the renewal term of the maintenance and support agreement is from March 7, 2014 through March 6, 2015; now, therefore, be it

RESOLVED, that the Wayne County Chairman of the Board is hereby authorized to review and approve the annual contract; and be it further

RESOLVED, that the Wayne County Public Defender's Office is hereby authorized to pay to the New York State Defenders Association, Inc., the sum of \$1,500 for the annual support and maintenance of the Public Defense Case Management System (PDCMS) and that said sum shall be paid from line number 54424 as justified in the Wayne County Public Defender's 2014 budget.

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

**RESOLUTION NO. 280-14: AUTHORIZATION TO EXECUTE 2014 MAINTENANCE CONTRACT WITH BI INC. FOR THE WAYNE COUNTY PROBATION DEPARTMENT**

Mr. LeRoy presented the following:

WHEREAS, Wayne County Probation Department requires an annual Maintenance Agreement with BI Inc. for the support of the department's Electronic Monitoring Equipment; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an extended warranty and support services agreement on behalf of the County of Wayne, subject to the County Attorneys approval as to form and content, with BI Incorporated for the contract period January 1, 2014 to December 31, 2014 at an annual cost of \$7,318.00 to cover thirty-five (35) Home Guard Monitoring Devices (HG-200); eighteen (18) Sobrietor Units (93-9300) and one (1) Drive-Bi Unit (HG-2220).

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

**RESOLUTION NO. 281-14: AUTHORIZATION TO SURPLUS A 1998 POLICE**

**MOTORCYCLE BACK TO THE DONOR**

Mr. LeRoy presented the following:

WHEREAS, In May 2002, the Wayne County Sheriff's Office took possession of a 1998 BMW police motorcycle, bearing Vehicle Identification Number WB10418AXWZC64192, which was donated by *Country Rode Motorwerks*, 286 Macedon Center Road, Fairport, NY; and

WHEREAS, due to efficiencies of reorganization, the Sheriff is no longer utilizing the motorcycle and is desirous of surplusing the motorcycle back to *Country Rode Motorwerks*; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to declare as surplus a 1998 BMW police motorcycle, bearing Vehicle Identification Number WB10418AXWZC64192, which was donated to the Sheriff's Office by *Country Rode Motorwerks*, 286 Macedon Center Road, Fairport, NY, and return such motorcycle back to *Country Rode Motorwerks*, at no cost to County taxpayers.

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

**RESOLUTION NO. 282-14: AUTHORIZATION TO CREATE A FULL TIME CORRECTION OFFICER POSITION ON A TEMPORARY BASIS**

Mr. LeRoy presented the following:

WHEREAS, one (1) full time temporary Correction Officer Position in the Wayne County Sheriff's Office is needed because of a collective bargaining agreement stipulation settlement; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to create said position on a full time temporary basis; and further, be it

RESOLVED, that the Sheriff will vacate the said full time temporary position and the position will be abolished when the next authorized full time position is available so not to exceed 54 full time Correction Officers; and further, be it

RESOLVED, that the Sheriff is authorized to fill any part-time Correction Officer position(s) vacated as a result of filling the full time position.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Spickerman, Hammond and Deyo. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 283-14: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE MONROE COUNTY PUBLIC SAFETY LABORATORY**

Mr. LeRoy presented the following:

WHEREAS, the County of Monroe operates a regional crime laboratory (hereinafter referred to as "Laboratory") that provides forensic laboratory services to the Wayne County Sheriff's Office and the police departments in the County of Wayne; and

WHEREAS, the County of Wayne has utilized the services of the Laboratory for several years and has entered into an Agreement with the County of Monroe each year that such Laboratory services have been provided; and

WHEREAS, the current Agreement with the County of Monroe for such Laboratory services expired December 31, 2013 and on February 27, 2014 Monroe County released the 2014 contract; and

WHEREAS, the Agreement with the County of Monroe for such Laboratory services for January 1, 2014 through December 31, 2014 is due to be signed by the County of Wayne; and

WHEREAS, under the Agreement, the cost of such Laboratory services increased from \$77,431.00 in 2013 to \$79,367.00 in 2014, which is \$633.00 lower than Sheriff's 2014 budgeted amount of \$80,000.00; and

WHEREAS, the Sheriff is requesting that the County of Wayne enter into an Agreement with the County of Monroe for such Laboratory services for a the time period of January 1, 2014 through December 31, 2014; now, therefore, be it

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

an Agreement with the County of Monroe for Public Safety Laboratory services for the time period of January 1, 2014 through December 31, 2014 for \$79,367.00, upon review and approval of the County Attorney.

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

**RESOLUTION NO. 284-14: AUTHORIZATION FOR SOLE SOURCE PURCHASE OF GPS CLOCK SERVER FOR EMERGENCY MANAGEMENT**

Mr. LeRoy presented the following:

WHEREAS, Resolution No. 174-14 authorized the purchase of one Spectracom GP951M-94 GPS Master Clock Server system; and

WHEREAS, this system is specifically designed for public safety answering points and includes all the necessary interfaces to provide legally traceable time throughout a 911 center; and

WHEREAS, this system includes circuitry for GPS Backup so that if the signal acquisition from the GPS satellite(s) is compromised, or if GPS itself is turned off for any reason, the device will maintain seamless time synchronization for 30 days; and

WHEREAS, this system is recommended Zetron, the radio console manufacturer; and

WHEREAS, Spectracom is located in Rochester, NY and does not have any local dealers, and is not available on NYSOGS or GSA contract; now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby declares Spectracom, Orolia USA is the sole source provider of the Spectracom GP951M-94, model 9483 GPS Master Clock server; and be it further

RESOLVED, that the Director of Disaster Preparedness is authorized to make a sole source purchase of one Spectracom GP951M-94, model 9483 GPS Master Clock server, with Ethernet ports option, from Spectracom, Orolia USA of Rochester.

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

**RESOLUTION NO. 285-14: SETTING DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW AUTHORIZING PURCHASING BASED ON BEST VALUE**

Ms. Park presented the following:

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on **Tuesday, May 20, 2014 at 9:15 a.m.** in the First Floor Conference Room, Wayne County Public Safety Building, 7376 Rt. 31, Lyons, NY on the following proposed local law:

**COUNTY OF WAYNE – STATE OF NEW YORK  
INTRO NO 3/LOCAL LAW NO. \_\_\_ FOR THE YEAR 2014**

A Local Law Authorizing Purchasing Based on Best Value pursuant to General Municipal Law Section 103.

**SECTION 1: LEGISLATIVE INTENT:**

The State Legislature and Governor amended General Municipal Law §103 (A08692/S6117) on January 27, 2012 to provide local governments greater flexibility in awarding contracts by authorizing the award of purchase contracts, including contracts for service work on the basis of best value. The state legislation requires County's with a population of less than one million to pass a local law authorizing the use of the best value award process.

(From Assembly Bill Memo A08692) – Enactment of this legislation provides additional procurement options to localities in ways that may expedite the procurement process and result in cost savings. The "best value" standard for selecting goods and services vendors, including janitorial and security contracts, is critical to efforts to use strategic sourcing principles to

modernize the supply chain and ensure that taxpayers obtain the highest quality goods and services at the lowest potential cost, while also ensuring fairness to all competitors.

The federal government, approximately half of the states and many localities have added best value selection processes to their procurement options, in recognition of these advantages. With the increased complexity of the goods and services that municipalities must obtain in order to serve taxpayers, it is critical to consider selection and evaluation criteria that measure factors other than cost in the strictest sense.

Taxpayers are not well served when a public procurement results in low unit costs at the outset, but ultimately engenders cost escalations due to factors such as inferior quality, poor reliability and difficulty of maintenance. Best value procurement links the procurement process directly to the municipality's performance requirements, incorporating selection factors such as useful lifespan quality and options and incentives for more timely performance and/or additional services.

Even if the initial expenditure is higher, considering the total value over the life of the procurement may result in a better value and long-term investment of public funds. Best value procurement also encourages competition and, in turn, often results in better pricing, quality and customer service. Fostering healthy competition ensures that bidders will continue to strive for excellence in identifying and meeting municipalities' needs, including such important goals as the participation of small, minority, and women-owned businesses and the development of environmentally preferable good and service delivery methods. Best value procurement will provide much needed flexibility in obtaining important goods and services at favorable prices, and will reduce the time to procure such goods and services.

**SECTION 2 – DEFINITIONS:**

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

**SECTION 3 – AUTHORITY:**

On and after the effective date of this law, the Purchasing Agent or Department Head may award purchase contracts, including contracts for service work, but excluding any purchase contract necessary for the completion of a public works contract pursuant to Labor Law Article 8, on the basis of best value, as defined in State Finance Law § 163 to a responsive and responsible bidder or offerer.

**SECTION 4 – REQUIREMENTS:**

- A. Where the basis for award is the best value offer, the Purchasing Agent or Department Head shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection be conducted.
- B. The Purchasing Agent or Department head in charge of purchasing procedures shall select a formal competitive procurement process in accordance with guidelines established by the County Procurement Policy and document its determination in the procurement record. The process shall include, but is not limited to, a clear statement of need; a description of the required specifications governing performance and related factors; a reasonable process for ensuring a competitive field; a fair and equal

opportunity for offerers to submit responsive offers; and a balance and fair method of award. Where the basis for the award is best value, documentation in the procurement record shall, where practicable, include a quantification of the application of the criteria to the rating of proposals and the evaluation results, or, where not practicable, such other justification which demonstrates that best value will be achieved.

- C. The solicitation shall prescribe the minimum specifications or requirements that must be met in order to be considered responsive and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the County in its determination of best value.

**SECTION 5 – SEVERABILITY:**

If any clause, sentence, paragraph, subdivision, section or part of this law of the application thereof to any person individual, corporation, firm, partnership entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**SECTION 6 – EFFECTIVE DATE:**

This local law shall take effect immediately upon filing with the New York Secretary of State.

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

**RESOLUTION NO. 286-14: AUTHORIZING PAYMENT OF SETTLEMENT**

Ms. Park presented the following:

WHEREAS, a Notice of Claim was served upon the County for an accident that occurred on January 6, 2011; and

WHEREAS, the parties are desirous of settling said claim for a total amount of Two Hundred Thousand and 00/100 (\$200,000.00); 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 \$200,000 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:

**A1930 Judgment & Claims**

\$200,000 to .54000 Contracted Expenses

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

**RESOLUTION NO. 287-14: AMENDING BUDGET FOR CONSUMER AFFAIRS AND AUTHORIZING SHERIFF TO ISSUE FLEET CARD TO DIRECTOR OF CONSUMER AFFAIRS**

Ms. Park presented the following:

WHEREAS, the Director of Weights and Measures has recently been informed that the State of New York will reimburse the County for the purchase of fuel samples taken for octane testing from fuel stations; and

WHEREAS, the county has not previously reimbursed for these samples which are 8/10 of one gallon each; and

WHEREAS, the Consumer Affairs budget will need to be amended to facilitate implementation of this program; and

WHEREAS, a charge card will need to be issued for these transactions; now, therefore, be it

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

**A6610 Consumer Affairs**

(revenue)

\$600 to .42770 Miscellaneous Revenue

(appropriation)

\$600 to .54100 Supplies & Materials

and be it further

RESOLVED, that the Wayne County Sheriff is authorized to issue a fleet charge card to the Director of Weights and Measures to be used for the on-site purchase of said fuel samples taken and removed from the premises of fuel stations for octane testing.

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

**RESOLUTION NO. 288-14: ADOPTION OF LOCAL LAW AMENDING THE MORTGAGE RECORDING TAX WITHIN THE COUNTY OF WAYNE**

Ms. Park presented the following:

WHEREAS, a proposed local law for amending the mortgage recording tax within the County of Wayne was presented to the Board of Supervisors on April 2, 2014; and

WHEREAS, a public hearing on the proposed local law was held on April 15, 2014 at 9:05 a.m. in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

**COUNTY OF WAYNE - STATE OF NEW YORK  
LOCAL LAW NO. 1 FOR THE YEAR 2014**

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

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

**SECTION 1:**

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

**Section 1. Imposition of Tax**

Pursuant to Chapter 164 of the Laws of 2005, for the period beginning June 1, 2014 and ending April 14, 2017, there is hereby imposed, in the county of Wayne, a tax of \$0.25 for each \$100.00, and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the county of Wayne and recorded on or after June 1, 2014 and a tax of \$0.25 on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.00.

**SECTION 2:**

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

**Section 7. Effective Date**

This local law shall take effect on the first day of June, 2014, provided a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at least 30 days prior to such date. Certified copies of this local law shall also be filed with the Wayne County Clerk, the Secretary of State, and the State Comptroller within five days after the date it is duly enacted.

Mr. Smith moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, all Supervisors voted Aye, except Supervisor Baldrige who voted Nay. Absent – Supervisors Spickerman, Hammond and Deyo. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 289-14: 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 SODUS**

2013 Tax Roll	
Account No.	71115-00-526503
Assessed to:	Degelleke, Gordon & Edna
Total Tax Difference:	\$647.40
Refund:	\$647.40
	Total County Tax Difference: \$415.57

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 Mr. LeRoy. Upon roll call, adopted.

**RESOLUTION NO. 290-14: 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 SODUS**

2014 Tax Roll	
Account No.	71115-00-526503
Assessed to:	Degelleke, Gordon & Edna
Total Tax Difference	\$1,367.91
	Total County Tax Difference: \$426.89

Corrected Total Tax: \$ 664.29

**TOWN OF WILLIAMSON**

2014 Tax Roll

Account No. 65117-12-853546  
Assessed to: Williamson Reform Church  
Total Tax Difference \$ 481.28 Total County Tax Difference: \$0  
Corrected Total Tax: \$ 14.78

**TOWN OF WILLIAMSON**

2014 Tax Roll

Account No. 65117-00-576249  
Assessed to: Town of Williamson  
Total Tax Difference \$ 399.78 Total County Tax Difference: \$0  
Corrected Total Tax: \$0

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 Mr. Manktelow. Upon roll call, adopted.

**RESOLUTION NO. 291-14: AUTHORIZING PUBLIC AUCTION SALE OF REAL PROPERTY ACQUIRED BY THE COUNTY FOR DELINQUENT TAXES**

Ms. Park presented the following:

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law of the State of New York pertaining to the enforcement of the collection of delinquent taxes, the County of Wayne has or will acquire title to the real property as shown on Appendix A (attached hereto and incorporated herein by reference) and is entitled to acquire title by Court Order to the properties from 2012 listed on Appendix A; and

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law, real property acquired by tax deed or Court Order may be disposed of by the County at such times and upon such terms as shall be determined by the Board of Supervisors; now, therefore, be it

RESOLVED, in accordance with Article Eleven (11) of the Real Property Tax Law:

**FIRST:** The County Attorney is hereby authorized and directed to take appropriate action regarding removal of property from the auction list after the filing of the Summary Judgement of the Petition of Foreclosure and up to the time of the auction.

**SECOND:** The Director of Real Property Tax Services is hereby authorized, empowered and directed to conduct a public auction sale of the properties listed on Appendix A at the Lyons High School Auditorium, 10 Clyde Road, Lyons, New York, on **June 11, 2014, commencing at 6:00 p.m.**

**THIRD:** The Director of Real Property Tax Services is hereby authorized and directed to advertise the auction sale in such manner as he/she may deem suitable for obtaining the greatest public participation in the sale and to charge the advertising cost to Account No. A1364.54000 (Expenses on Property Acquired for – Advertising).

**FOURTH:** Each parcel of property shall be offered and sold at the public auction sale subject to the following terms and conditions of sale:

**COUNTY OF WAYNE REAL PROPERTY AUCTION SALE  
Lyons High School Auditorium  
10 CLYDE ROAD**

LYONS, NY 14489

June 11, 2014 at 6:00 p.m.

**TERMS AND CONDITIONS OF SALE**

1. The property offered for sale has been acquired by the County of Wayne (hereinafter referred to as the "**County**") by Court Order pursuant to the provisions of Title 3, Article 11 of the Real Property Tax Law of the State of New York.
2. All potential Bidders/Buyers must provide acceptable photo identification for issuance of a bid number.
3. All Bidders/Buyers must register for this auction and hold a bid number.
4. Former owners will not be allowed to bid on their properties.
5. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom the County Foreclosed and has no intent to defraud the County of the unpaid taxes, assessment, penalties, and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey, the property to the former owner(s) against whom the County foreclosed within 24 months subsequent to the auction date. If such conveyance occurs, the purchaser understands that he/she will be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to the County as related to the foreclosure on the property and consents to immediate judgment by the County for said amounts in addition to reasonable attorneys fees and expenses.
6. **NO PERSON OR ORGANIZATION CAN BID ON PROPERTIES AT THE AUCTION IF THEY, OR A CORPORATION OR COMPANY THEY ARE AFFILIATED WITH, OWE PROPERTY TAXES (CURRENT YEAR OR PRIOR YEAR) TO THE COUNTY. ALL TAX LIABILITIES MUST BE PAID PRIOR TO THE AUCTION IN ORDER TO BID AT THE AUCTION.** Previously defaulting parties (i.e. parties who have a property tax installment contract or have failed to pay taxes for prior tax years) are not allowed to bid until 18 months after the default is cured.) Failure to comply with this provision will be grounds for default and forfeiture of any deposits paid without exceptions.
7. The auctioneer's decision regarding any disputes is final, and the auctioneer reserves the right to reject any bid that is not an appreciable advancement over the preceding bid.
8. The property will be conveyed by the County to the purchaser by quit-claim deed, containing a description of the property as it appeared on the tax roll for the year upon which the County acquired title or as corrected up to date of deed. The deed will be recorded by the County upon payment in full of the purchase price and closing fees/cost. **POSSESSION OF PROPERTY IS FORBIDDEN UNTIL THE DEED IS RECORDED WITH THE WAYNE COUNTY CLERK CONVEYING TITLE TO THE PURCHASER. TITLE VESTS AT THE RECORDING OF THE DEED.** It is agreed between the County and the purchaser that delivery and acceptance of the deed occurs upon recording of the deed.
9. The County will not furnish an abstract of title or an instrument survey map.

10. **The County does not make any representations or warranties, expressed or implied,** (a) concerning the quality or the condition of the title to the property, or the validity or marketability of such title; the ownership of any improvements on the property; the condition of the property and any improvements thereon or its fitness for any use; or the accuracy of the property description on the tax roll or in the notice of sale or any other advertisement of sale furnished by the County; or (b) that the property or any improvements thereon presently comply with building or zoning codes, or with any state or local laws or regulations. Any information concerning the property furnished by the County or any of its officers, employees, or agents shall not be deemed to include any such representations or warranties. Any promotional tools such as photographic slides, tax maps, written or verbal descriptions, etc. are for informational purposes only.
11. Any successful bidder, who fails to tender the deposit to the Treasurer at the end of the auction, will be forbidden to participate in this or any other auction for a time period of 18 months. Any parcels which the County of Wayne, Treasurer did not receive deposits for by the end of the auction will be considered defaulted. If a purchaser fails to close on the parcel(s) that he/she bids on at the auction, he/she will be prohibited from participating at future auctions held for the County of Wayne for a time period of 18 months.
12. The purchaser shall accept the property and any improvements thereon in "as is" condition with the understanding that the County makes no representation as to ownership or responsibility for any personal property located on the real property. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.
13. Evictions, if necessary, are solely the responsibility of the successful bidder after closing and recording of the deed.
14. The sale of the property is made subject to (a) village, town, state and federal claims for taxes, liens or other encumbrances, and (b) all easements or rights-of-way which were in existence at the time of the levy of the tax the non-payment of which resulted in the tax deed to the County.
15. The County will convey the property free and clear of County tax liens accrued on or before January 1, 2014.
16. The purchaser will pay all of the following taxes and charges, including all interest and penalties if applicable:
  - 2014 Village Tax; current water, sewer, other special district charges, demolition charges, and any service charges levied against property by a Municipality - **INCLUDING ANY APPLICABLE INTEREST AND PENALTIES**
  - Federal and/or State taxes, liens and encumbrances of record
  - 2014 School Tax
  - 2015 Town Tax & County Tax which may include re-levied village or school taxes
  - In order to avoid future delinquent charges, the new owner should immediately advise all tax collectors of the new ownership, and the address where future tax bills are to be mailed.
17. All bids are subject to approval and acceptance by the Wayne County Board of Supervisors. The County reserves the right to sell to the second highest bidder if Purchaser defaults.

18. The Board of Supervisors reserves the right to accept or reject any or all bids, or to withdraw any parcel from the sale at any time prior to delivery of the deed to the purchaser.
19. In the event that a sale is cancelled by Court Order or judgment or by the Wayne County Board of Supervisors, the successful bidder shall be entitled only to a refund of the purchase money. Purchaser shall not be entitled to special or consequential damages, attorney fees, reimbursement for any expenses incurred as a result of ownership or improvements of the property, nor for taxes paid during the period of ownership.
20. The purchaser shall pay full payment immediately at "Knockdown" (when the Auctioneer says "sold") for any properties sold in the amount of \$2,000 or less.
21. Regarding any properties sold for more than \$2,000, the amount of \$2,000 plus 10% of the amount over \$2,000 must be paid immediately at "Knockdown"
22. All sales shall be final, absolute and without recourse, and in no event shall the County be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, successors or assigns, against the County arising from this sale.
23. Notice is hereby given that the premises being sold may lie within an Agricultural District as designated upon the tax map. It is the sole responsibility of any bidder to ascertain which specific parcel(s) is so designated and thereby sold subject to the provisions of law applicable thereto.
24. **The purchaser's bid will be submitted to the Board of Supervisors on June 17, 2014. IT SHALL BE THE PURCHASER'S RESPONSIBILITY TO CONTACT THE COUNTY REAL PROPERTY TAX SERVICE AGENCY (315-946-5916) ON OR AFTER JUNE 18, 2014 TO DETERMINE WHETHER THE BID WAS ACCEPTED OR REJECTED BY THE BOARD OF SUPERVISORS.**
25. A personal check or cash may be used the night of the auction for down payment.
26. **The purchaser must pay the balance of the purchase price (paid in cash or by certified check, bank check or money order payable to the Wayne County Treasurer) together with the necessary recording taxes and fees (paid in cash or check payable to the Wayne County Clerk) to the County Treasurer not later than the close of business on July 18, 2014. Upon receipt of such payments, the deed will be recorded in the County Clerk's Office and mailed to the purchaser upon completion of the recording process. The purchaser may not assign his/her right to complete the sale. ALL DEEDS SHALL BE EXECUTED SOLELY IN THE NAME OF THE BIDDER (AND SPOUSE, IF REQUESTED) AS REGISTERED AT THE AUCTION. IF THE PURCHASER FAILS TO MAKE SUCH PAYMENTS ON OR BEFORE JULY 18, 2014, THE SALE SHALL BE DEEMED CANCELLED. THE COUNTY SHALL NOT BE OBLIGATED TO CONVEY THE PROPERTY TO THE PURCHASER AND THE PURCHASER'S DEPOSIT SHALL BE RETAINED BY THE COUNTY AS LIQUIDATED DAMAGES.**
27. The purchaser shall execute a Memorandum of Purchase at the time and place of the auction sale agreeing to purchase the property subject to the terms and conditions of sale prescribed by the County.

**MEMORANDUM OF PURCHASE**

I, \_\_\_\_\_, agree to purchase the property identified as  
(print name)

Tax Map # \_\_\_\_\_,

Town of \_\_\_\_\_, subject to the terms and conditions of sale set forth above, for the purchase price  
of \$ \_\_\_\_\_.

Dated: June 11, 2014

Name: \_\_\_\_\_ (Signature)

Social Security No.: \_\_\_\_\_

Telephone: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**GRANTEE DESIGNATION IN DEED:**

Name \_\_\_\_\_ Soc. Security # \_\_\_\_\_

Residence Address \_\_\_\_\_

Name \_\_\_\_\_ Soc. Security # \_\_\_\_\_

Residence Address \_\_\_\_\_

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

**RESOLUTION NO. 292-14: AUTHORIZATION TO MODIFY THE 2014 SHERIFF'S BUDGET  
FOR THE PURCHASE OF (3) FORD UTILITY POLICE INTERCEPTOR VEHICLES**

Ms. Park presented the following:

WHEREAS, in 2014, the Wayne County Sheriff budgeted for the purchase of (3)  
Chevrolet Tahoe, 2-wheel drive motor vehicles for the K-9 patrols at a total cost of \$85,791;  
and

WHEREAS, due to cost increases, the price of (3) Tahoe 2-wheel drive vehicles is now  
quoted at approximately \$90,000.00; and

WHEREAS, Ford motor company now produces an all-wheel drive Utility Police  
Interceptor vehicle, which operates of the same platform as the current Ford Interceptor patrol  
cars, at a New York State Contract price for (3) vehicles of \$89,032.53.

WHEREAS, the total price of (3) Ford Utility Police Interceptor vehicles is \$3,241.53 over  
the adopted budget amount; and

WHEREAS, the Sheriff is requesting that the 2014 budget be modified so that the  
purchase of (3) Ford Utility Police Interceptor vehicles for the K-9 patrols can be made, at no  
additional cost to the County taxpayers; now therefore, be it

RESOLVED, that the Sheriff is hereby authorized to purchase (3) Ford Utility Police  
Interceptor vehicles for the K-9 patrols, at a total New York State Contract price of \$89,032.53,  
at no additional cost to County taxpayers; and further, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to  
modify the 2014 County budget as follows

**A3114 - Road Patrol**

(appropriations)

\$3,241.53 from .54114 Car expense

**A3114 - Road Patrol**

(appropriations)  
\$3,241.53 to.52300 Motor Vehicle

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

**RESOLUTION NO. 293-14: AUTHORIZATION TO CHANGE LOCATIONS OF STANDING COMMITTEE MEETINGS AND COUNTY BOARD MEETINGS FOR THE MONTHS OF MAY, JUNE AND JULY, 2014**

Ms. Park presented the following:

WHEREAS, asbestos abatement and the energy conservation project has necessitated the temporary relocation of departments and meetings from the Wayne County Court House; and

WHEREAS, the asbestos abatement is being carried out in advance of Energy Services Company (ESCO) energy improvements in the building; and

WHEREAS, the Energy Services Company (ESCO) will complete heating and air conditioning work as soon as the asbestos work is finished; and

WHEREAS, it is anticipated that the work will be completed by June 30, 2014; and

WHEREAS, this will require that the Standing Committees and Regular Monthly Board of Supervisors meetings during May, June and July, 2014 need to be relocated; now, therefore, be it

RESOLVED, that the Standing Committees of the Wayne County Board of Supervisors for May, June, and July 2014 will meet at the regular days and times at the Conference Room on the first floor of the 16 William Street Building, Lyons, NY; and be it further

RESOLVED, that the regular monthly Board of Supervisors meetings for May and June, 2014 will be held on the scheduled days and times at the first floor conference room of the Wayne County Public Safety Building, 7376 Route 31, Lyons, NY.

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

**RULE 14 RESOLUTION**

**RESOLUTION NO. 294-14: AUTHORIZATION TO REPLACE PROBATION PRINTER**

Mr. LeRoy presented the following:

WHEREAS, that the Information Technology Department has purchased replacement computers for the Probation Department for \$982, less than the amount included in the 2014 Wayne County Equipment Addendum for the County Budget; and

WHEREAS, a high volume printer in the Probation Department has failed and needs to be replaced; and

WHEREAS, that a replacement high volume printer can be purchased with GSA contract pricing for \$872.63; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors approves the purchase of a replacement high volume printer for the Probation Department with the savings from the computer purchase; and be it further

RESOLVED, that the Director of Probation is hereby authorized to purchase one (1) printer at a cost not to exceed \$872.63.

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

**EXECUTIVE SESSION:** Mrs. Crane moved, seconded by Mr. Manktelow that the Board go into Executive Session at 10:25 a.m. to discuss and pending litigation, collective bargaining, and the proposed sale of real property. Upon roll call, carried.

**REGULAR SESSION:** Mr. Colacino moved, seconded by Mrs. Crane that the Board resume regular session at 10:51 a.m. Carried.

**OTHER BUSINESS**

Mr. Miller moved, seconded by Mrs. Crane that three (3) resolutions be allowed on the floor under Other Business. Motion Carried.

**RESOLUTION NO. 295-14: AUTHORIZATION TO SET SALARY FOR THE CONFIDENTIAL SECRETARY TO THE COUNTY CLERK**

Mrs. Crane presented the following:

WHEREAS, the Confidential Secretary to the County Clerk has resigned to take a position with the New York State Office of Court Administration; and

WHEREAS, this position covers needed services, support and oversight for the Office of the County Clerk; and

WHEREAS, the title of Confidential Secretary to the County Clerk is in the Managerial/Confidential group; and

WHEREAS, no salary/wage schedule currently exists for the Managerial/Confidential employee group and the Board of Supervisors must establish an annual salary for the position; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby establishes an annual salary of up to \$28,920 for the position of Confidential Secretary to the County Clerk.

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

**RESOLUTION NO. 296-14: ACCEPTING BIDS FOR PURCHASE AND INSTALLATION OF FIRE RATED DOORS FOR THE WAYNE COUNTY NURSING HOME**

Mr. Groat presented the following:

WHEREAS, that the Board of Supervisors have duly advertised for bids for the purchase and installation of eight (8) fire-rated doors for the Wayne County Nursing Home in accordance with the provisions of Section 103 of the General Municipal Law; and

WHEREAS, the bid received by Kelley Brothers totaling \$18,976 meets the specifications as issued and hereby recommended; and

WHEREAS, that the 2014 Equipment Addendum includes \$10,000 for Nursing Home flooring that can be used to fund a portion of the fire-rated doors ;now, therefore be it

RESOLVED, that said bid is hereby accepted for the amount of \$18,976 and the contract for the purchase and installation of the eight (8) fire-rated doors for the Wayne County Nursing Home is hereby awarded to Kelley Brothers under the condition that all documentation required by the Request for Bids, including but not limited to an original bid bond, is submitted to the Wayne County Attorney is by April 18, 2014 before 5 PM; and be it further

RESOLVED, that the \$10,000 included in the 2014 Equipment Addendum and allocated to flooring will not be used for flooring but will be used toward the purchase and installation of the fire-rated doors; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer \$8,976 from the Nursing Home unassigned E Fund Balance, and make the following adjustment to the 2014 County Budget:

E60001 – Nursing Home

\$8,976.00 to E60002-52000-E8410

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

Mr. Kolczynski requested the names of the other vendors that submitted proposals for this Nursing Home project. The Clerk of the Board stated that there were a total of three bidders: Secor Building Solutions, BR Johnson, and the apparent low bidder, Kelley Brothers.

Upon roll call, adopted.

**RESOLUTION NO. 297-14: AUTHORIZATION TO EXECUTE QUIT-CLAIM DEED TO CLEAR**

**LEGAL TITLE TO REAL PROPERTY LOCATED IN THE TOWN OF HURON**

Mrs. Crane presented the following:

WHEREAS, real property located at and known as Lots 71-74, Block E, in the East Bay Park subdivision in the Town of Huron were acquired by the County of Wayne through tax foreclosure in 1964; and

WHEREAS, the County of Wayne sold Lots 71-74, Block E, in the East Bay Park subdivision in the Town of Huron to Robert L. Dykeman in 1964; and

WHEREAS, in the course of a proposed sale of real property which includes the subject Lots 71-74, Block E, in the East Bay Park Subdivision in the Town of Huron, it was recently discovered by a current survey of the property done in March 2014, that the original deed dated August 8, 1964 from Sherwood W. Mate, as Wayne County Treasurer to Robert L. Dykeman was never recorded in the office of the Wayne County Clerk; and

WHEREAS, Robert L. Dykeman died on November 4, 1989 survived by his wife, Marjorie M. Dykeman; and

WHEREAS, Marjorie M. Dykeman sold Lots 71-70 inclusive, Block E, East Bay Park subdivision on September 24, 2007 to Neil A. Monzeglio and Bonnie L. Monzeglio at which time the tax maps of the County of Wayne showed Robert L. Dykeman and Marjorie M. Dykeman as owners of Lots 71-74; and

WHEREAS, Robert L. Dykeman and Marjorie M. Dykeman, or their successors and assignees have paid the taxes on Lots 71-74 since 1964; and

WHEREAS, it is now necessary to clarify the chain of title with respect to Lots 71-74 and recognize the equitable interest acquired in said parcels by payment of the real property taxes since 1964; now therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign and execute a Quit-Claim Deed and any and all other documents required to convey Lots 71-74, Block E, in the East Bay Park subdivision, to clear legal title to said Lots.

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

**ADJOURNMENT:**

The next scheduled meeting of the Board is **Tuesday, May 20, 2014 at 9:00 a.m.** This Board Meeting will be held in the Wayne County Public Safety Building's First Floor Conference Room, 7376 Route 31, Lyons, New York.

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