

7th Day
Tuesday, May 20, 2014
9:00 a.m.

The May meeting of the Board of Supervisors was called to order at the Wayne County Public Safety Building, 7376 Route 31, Lyons, Chairman Hoffman presiding.

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

Upon roll call, all Supervisors were present, except Supervisor LeRoy. County Administrator James Marquette and County Attorney Daniel Connors were also present.

APPROVAL OF MINUTES:

Ms. Park 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 totaling \$13,398.05 was received April 30, 2014.

A letter from Jerome M. Hauer, Commissioner for the NYS Division of Homeland Security and Emergency Services was received, informing the Board of the tentative award of grant funds under the State Homeland Security Program, FEMA, to support regional preparedness efforts.

A letter from the Town Board of the Town of Tyre was received, along with copy of their Local Law No. 3-2014 to amend the Town of Tyre Zoning Law for the purpose of enacting a planned unit development district for the Wilmot Casino and Resort.

A letter was received from Chester Peters, expressing his sincere appreciation for recognition received for his recent retirement for nearly 50 years serving as Williamson Town Historian.

Resolutions were received from the County of Fulton Board of Supervisors, entitled, "Resolution Urging New York State to Establish a Residency Waiting Period to Qualify for Welfare Benefits", and "Resolution Opposing Assembly Bill A689-A Mandating Early Voting in New York State", were received.

A copy of the Wayne County Self-Insured Plan Workers' Compensation Annual Report was received from Lindsey Burgess, Wayne County Self Insurance Specialist; with confirmation that said report was distributed to all plan participants, as required.

A copy of certified Resolution No. 187-14 entitled, "Resolution Declaring 'MAYDAY FOR MANDATE RELIEF' and urging the State to adopt Laws that prohibit unfunded Mandates on Local Governments", was received from the County of Fulton Board of Supervisors.

A letter was received from the NYS Office of Parks, Recreation and Historic Preservation regarding the consideration for nomination of the NY State Barge Canal Historic District located in Multiple Counties to the National and State Registers of Historic Places.

A letter was received from Assemblyman Robert Oaks, responding to this Boards request for an extension of RPTL § 485, which allows local taxing jurisdictions with nuclear generating facilities the ability to negotiate taxing agreements; along with suggestions that a provision be added to said section establishing a default payment allocation schedule.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments, including the April warrants for accounts payable totaling \$3,848,900.43 was received and filed.

PRIVILEGE OF THE FLOOR:

Chairman Hoffman opened the floor at this time for members of the public to address the Board of Supervisors regarding items listed on the agenda for action. There was no public

comment on agenda items this morning.

SCHEDULED BUSINESS:

CERTIFICATES OF APPRECIATIONS AND PROCLAMATIONS

On behalf of the Board, Chairman Hoffman read and presented a Certificate of Appreciation to **Patrick Byrne, representing the Sodus-Williamson Swim Team**, for his outstanding achievements and for becoming a Division 1 Finger Lakes League Diving Champion. Coach Gary Zeger and Patrick's parents were also present in attendance for this proud moment.

Wayne County Sheriff Barry Virts along with Newark Police Chief David Christler, Macedon Police Chief John Colella, Undersheriff Richard House and Robert Hetzke were on hand today to recognize the many Wayne County enforcement agencies for the presentation of the following proclamations:

- **Correction Officer Week in Wayne County – May 1st-7th**
- **Police Officer Week in Wayne County – May 18th-24st**

Sheriff Virts took this opportunity to acknowledge the upcoming retirement and present a Certification of Appreciation to Sergeant James Hinz, for his 25 years of dedicated service within the Wayne County Sheriff's Office and the Wayne County community.

Supervisor Dick Colacino read the proclamation for **EMS Week – May 18-24, 2014**.

Mr. Ralph Calabrese, a Korean War Veteran and longtime Veteran advocate from Canandaigua, New York, addressed the Board to read and present a copy of a prayer that he had written on behalf of veterans; and to share his concerns with proposed funding to be spent on lavished resort-style lodging facilities on the VA Hospital property in Canandaigua, instead of using these vital funds for much needed medical services for our wounded and returning Veterans.

Supervisor Kolczynski read the following Memoriam for the passing of Donald G. Colvin:

RESOLUTION NO. 298-14: IN MEMORIAM – DONALD G. COLVIN – TOWN OF SAVANNAH

Mr. Kolczynski presented the following:

WHEREAS, Donald G. Colvin served Wayne County as Supervisor for the Town of Savannah from December 1, 1959 until December 31, 2007 and as Chairman of the Board of Supervisors from January 1966 until December 1973. He held the Office of Town Supervisor for 48 years, the longest serving consecutively elected official in New York State; and

WHEREAS, Don was passionate about the Town of Savannah and worked tirelessly to improve his beloved community, further, Don was a devoted husband to his wife, Lynn, for 65 years, and father to his children and grandchildren; and

WHEREAS, Don was the driving force behind the establishment of the Wayne County Industrial Development Agency, the Wayne County Planning Department, the Wayne Area Transportation System, the Wayne County Water Authority and the Wayne County Action Program, Inc., where he retired as Chairman of the Board of Directors in December of 2013; and

WHEREAS, Don was Chairman of the Board of Supervisors' Finance Committee; where for over 30 years, he managed the County's budget with common sense and fiscal restraint. His financial leadership led to the construction of a new Social Services building, a new Public Health building and a state of the art County Nursing Home; and his efforts and accomplishments during his tenure on the Board are acknowledged; and

WHEREAS, Don diligently served the Citizens of Wayne County with loyalty and dedication and his death is a great loss to his family and our community.

NOW, THEREFORE, in memory of his service to the people of Wayne County; be it

RESOLVED, that the Board of Supervisors of the County of Wayne hereby expresses its great regret in the passing of Donald G. Colvin and extends its deepest sympathy to his family; and be it further

RESOLVED, that this resolution be spread upon the minutes, a copy be presented to the family of Donald G. Colvin, and a page of these proceedings be dedicated to his memory.

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

Chairman Hoffman offered kind words in remembrance of Mr. Colvin, commenting on his dedication to public service to the Town of Savannah and the County of Wayne; as he will be well missed.

PUBLIC HEARING:

The Clerk read the title of following Notice of Public Hearing regarding a proposed Local Law authorizing Purchasing Based on Best Value. This Public Hearing was advertised and scheduled for 9:15 a.m., however, the actual notice was read at 9:37 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, 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 offeror 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 offeror.

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.

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

At 9:38 a.m., the Chairman opened the floor for public comment, requesting any persons interested in addressing the Board with their comments regarding this proposed local law, to stand up for comment.

Linda Stevenson, resident of Wayne County, addressed the Board to ask if language regarding favoritism and nepotism would be included in this Local law to make purchasing a more fair process.

The Chairman requested if any other comments regarding the purpose of the Local Law. After additional time was given, Chairman Hoffman asked for a motion to close the hearing at 9:41 a.m.

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

RECESS:

Chairman Hoffman called for a short recess at 9:41 a.m.

REGULAR SESSION:

The Board resumed regular session at 9:49 a.m. Carried.

RESOLUTION NO. 299-14: ADOPTING MORTGAGE TAX REPORT AND AUTHORIZING COUNTY TREASURER TO MAKE PAYMENT TO TOWNS AND VILLAGES

Ms. Park presented the following:

WHEREAS, the Finance Committee of the Wayne County Board of Supervisors has filed a report showing the mortgage tax monies received by the Wayne County Treasurer during October 1, 2013 to March 31, 2014, and recommend payment to the Villages and Towns as apportioned in such report as follows:

TOWN	TOWN SHARE	VILLAGE	VILLAGE SHARE	TOTAL
Arcadia	36,250.58	Newark	15,392.89	51,643.47
Butler	6,892.95	Wolcott	400.78	7,293.73
Galen	9,884.41	Clyde	2,215.80	12,100.21
Huron	17,823.19		0.00	17,823.19
Lyons	9,517.16	Lyons	3,734.39	13,251.55
Macedon	52,004.66	Macedon	3,485.11	55,489.77
Marion	34,267.25		0.00	34,267.25

Ontario	90,246.82		0.00	90,246.82
Palmyra	23,161.38	Palmyra	2,974.43	26,135.81
Rose	12,957.86		0.00	12,957.86
Savannah	5,363.45		0.00	5,363.45
Sodus	34,326.63	Sodus	2,447.29	42,263.69
Sodus	34,326.63	Sodus Pt.	5,489.76	42,263.69
Walworth	63,809.58		0.00	63,809.58
Williamson	34,200.59		0.00	34,200.59
Wolcott	9,040.29	Red Creek	451.15	10,510.61
Wolcott	9,040.29	Wolcott	1,019.17	10,510.61
TOTAL	439,746.81		37,610.77	477,357.58

now, therefore, be it

RESOLVED, that the Mortgage Tax Report submitted by the Finance Committee is hereby accepted, the recommendation for payments to the Villages and Towns contained in such report is hereby adopted, and the County Treasurer is hereby authorized and directed to make such payments pursuant to the report.

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

RESOLUTION NO. 300-14: AUTHORIZE WAYNE COUNTY TO PARTICIPATE WITH PURCHASING COOPERATIVES FOR BEST VALUE/PIGGYBACKING PRACTICES FOR EQUIPMENT, SUPPLIES AND SERVICES

Ms. Park presented the following:

WHEREAS, the County of Wayne wishes to improve the efficiency and effectiveness for the procurement of products and services that are necessary; and

WHEREAS, Cooperative purchasing, also known as piggybacking, allows municipalities and schools to secure cheaper costs for a particular product or service by using the same contract for a vendor that was used by any other government agency; and eliminating the competitive bid process; and

WHEREAS, certain enactments of Bill Numbers S.5525c, Chapter 308, and S3766A, which amends subdivision 16 of section 103 to the General Municipal Law, allows municipalities and school districts in New York to jointly contract for goods and services with any other federal, state or local government agency, as well as, giving political subdivisions the option of letting contracts based on "best value," as an alternative to letting contracts to the "lowest responsible bidder"; and

WHEREAS, the effects of said legislation gives public agencies additional opportunities to purchase products and services in an efficient and cost-saving manner; and

WHEREAS, purchasing cooperatives such as The Cooperative Purchasing Network (TCPN); US Communities Government Purchasing Alliance and National Joint Powers Alliance (NJPA) have existing contracts with national vendors for commonly purchased products and services as the competitive bid process has already been completed for public agencies; now, therefore, be it

RESOLVED, that County of Wayne is hereby authorized to become a member with the following cooperatives on the basis of participation of taking advantage of the prices available through said contracts for compliant purchases at a valued rate:

- The Cooperative Purchasing Network (TCPN)
- US Communities Government Purchasing Alliance
- National Joint Powers Alliance (NJPA)

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

call, adopted.

RESOLUTION NO. 301-14: AUTHORIZATION TO ADOPT A LOCAL LAW AUTHORIZING PURCHASING BASED ON BEST VALUE

Ms. Park presented the following:

WHEREAS, A Local Law Authorizing Purchasing Based on Best Value was presented to the Board of Supervisors on April 15, 2004; and

WHEREAS, a public hearing on the proposed local law was held on May 20, 2014 at 9:15am 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
INTRO NO 3/LOCAL LAW NO. 3 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 who 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 offeror.

SECTION 4 – REQUIREMENTS:

- D. 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.
- E. 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.
- F. 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. Marini moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

RESOLUTION NO. 302-14: AUTHORIZATION TO REDUCE FLEX SPENDING LIABILITY ACCOUNT

Ms. Park presented the following:

WHEREAS, the County offers employee's the option of opening a flex spending account for qualifying medical expenses. Per Federal Regulations these funds are "use it or lose it" within the plan year; and

WHEREAS, reconciliation was completed and it was found that the liability account is over funded by \$43,016.42; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to reduce the liability account as follows:

TA2031 County Flex Plan

\$43,016.42 from TA2031

A9999 Other

(Revenues)

\$43,016.42 to .40000 Miscellaneous Receipts

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

Mrs. Crane commented on this overage; and noted the recent changes in regulations for Flexible Spending Accounts that will allow employees to carry over \$500 into the next year. She inquired if this was an option extended to our employees?

Charles Dye, Director of Human Resources, and Patrick Schmitt, Wayne County Auditor, noted that modifications for this provision are now in effect for this year; however, the overage balance is from previous years, prior to the new regulations of the Affordable Care Act.

Upon roll call, adopted.

RESOLUTION NO. 303-14: AUTHORIZATION TO AMEND RESOLUTION NO. 143-13 AND ADOPT CHANGES TO THE WAYNE COUNTY PURCHASING POLICIES AND PROCEDURES

Ms. Park presented the following:

WHEREAS, pursuant to the adoption of Local Law No. 3-2014, said local law will authorize purchasing on the basis of best value; and

WHEREAS, the current county purchasing policy requires updating to include said Local Law and other necessary changes; now, therefore be it

RESOLVED, that the Board of Supervisors hereby amends Resolution No. 143-13 and adopts the following:

PURCHASING POLICIES AND PROCEDURES

I. PURCHASING SYSTEM MISSION STATEMENT

The Wayne County Purchasing System dedicates itself to procuring goods and services for the various county departments in a timely manner assuring the prudent and economical use of public monies in the best interest of the taxpayers of Wayne County. It will facilitate the acquisition of goods and services at the best value and guard against favoritism, extravagance and fraud. The intent is to further these goals by utilizing internal policies and procedures as adopted by the Board of Supervisors.

II. GENERAL POLICY AND PROCEDURE GUIDELINES:

1. The administration of the County Purchasing System shall be the responsibility of the County Purchasing Agent.
2. All purchase order procedures developed by the Purchasing Agent and approved by the Finance Committee shall comply with all applicable laws of the State of New York.
3. In accordance with General Municipal Law Section 103, competitive bids shall be sought for "purchase contracts" of \$20,000 or more and "public works contracts" of \$35,000 or more.
 - a. "Purchase contracts" applies to procurement of commodities.
 - b. "Contracts for public works" encompass contracts for services, labor or construction.
 - c. When a contract involves acquisition of both goods and services such as a commodity which requires installation, the contract should be viewed as a purchase for the purpose of determining the competitive bidding monetary threshold if the services are minor, incidental, or customarily provided by the vendor as a component of the purchase.

- d. Conversely, if the services are extensive, substantial or involve specialized skills so that the acquisition of the commodity is incidental to the work, the contract should be treated as a contract for public works.
 - e. Competitive bidding is required when it is known or can be reasonably anticipated that the aggregate amount to be spent on purchases of the same or similar commodities will exceed the dollar threshold over the course of a fiscal year.
4. All estimated purchase contracts of:
 - a. Less than \$20,000 but greater than \$2,000 requires a written request for proposal (RFP) and written quotes from three (3) vendors.
 - b. \$2,000 or less but greater than \$ 500 require an oral request for the goods and quotes from three (3) vendors.
 - c. \$ 500 or less left to the discretion of the purchaser.
 5. All estimated public works contracts of:
 - a. Less than \$35,000 but greater than \$10,000 requires a written request for proposal (RFP) and proposals from three (3) contractors.
 - b. \$10,000 or less but greater than \$3,000 require a written RFP and proposals from three (3) contractors, if possible.
 - c. \$3,000 or less are left to the discretion of the purchaser.
 6. Any written RFP shall describe the desired goods, quantity and the particulars of delivery, or the desired public works. The Purchaser shall compile a list of all vendors from whom quotes have been requested and the quotes offered. The completed list shall be submitted to the Purchasing Agent.
 7. No County department, administrative unit, or agency shall advertise for bids for any construction, reconstruction, or renovation project until all contract documents have been reviewed and approved as to form by the County Attorney. A Statement of General Conditions with all specifications will be included purchase of materials, equipment and supplies.
 8. All information gathered in complying with the procedures of this guideline shall be preserved by the Purchasing Agent and filed with the documentation (vouchers) supporting the subsequent purchase or public works contract.
 9. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchasing Agent has verified that a written justification providing reasons why it is in the best interest of the County and its taxpayers to make an award to other than the low offeror has been submitted by the Purchaser. If an offeror is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement (voucher).
 10. A good faith effort shall be made to obtain the required number of proposals or quotations. If a purchaser is unable to obtain the required number of proposals or quotations, the Purchasing Agent shall document the attempts made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotations be a bar to the procurement.
 11. Except when directed by the Board of Supervisors, no solicitation or written proposals or quotations shall be required under the following circumstances:
 - a. Emergencies (An emergency may be deemed to exist when there is an immediate and existing condition which is creating an imminent danger to public property or to the life, health, safety, or property of the residents of the County, and which makes further delay to comply with the prescribed purchasing procedures unwarranted. The existence of an emergency shall be confirmed through consultation with the County Administrator, Standing Committee Chairperson and Chairman of the Board of Supervisors);
 - b. Goods purchased under State contract pursuant to General Municipal Law, Section 104;
 - c. Goods purchased from the blind and/or severely handicapped;

- d. Goods purchased from correctional facilities;
 - e. Goods purchased from another governmental agency;
 - f. Goods purchased at auction;
 - g. Goods purchased for \$500 or less;
 - h. Public works contracts for less than \$1,000;
 - i. Goods purchased under a public cooperative bid in which the County is a participant.
 - j. Goods purchased via "piggyback" from an authorized public purchasing cooperative.
12. Every purchase of equipment paid from County funds (except purchases by the County Highway Department) shall be subject to the following procedure:
- a. If the equipment purchase is subject to the bidding requirements of Section 103 of the General Municipal Law, the advertisement for bids must have prior approval by resolution of the Board of Supervisors.
 - b. No equipment, except items listed on the Equipment Addendum attached to the County Budget, may be purchased without review by the Standing Committee, Finance Committee and prior approval by resolution of the Board of Supervisors.
 - c. Items listed on the Equipment Addendum attached to the current duly adopted County Budget may be purchased with approval of the County Administrator providing the cost for the specified item(s) is within the total amount budgeted for Equipment in the departmental cost center; the overall Equipment budget shall be the overall control and not the estimated per item costs listed in the equipment addendum to the budget.
13. Every purchase of equipment and /or machinery made by the County Highway Department shall be subject to the following procedure unless it was included in the equipment addendum of the budget:
- a. The Superintendent of Highways may purchase any item of machinery or equipment of the value of less than \$5,000 without prior approval, within the limits of funds appropriated for such purposes.
 - b. Any purchase of an item of machinery or equipment of a value of \$5,000 but less than \$10,000 must have the prior approval of the Public Works Committee of the Board of Supervisors.
 - c. Any purchase of an item of machinery or equipment of a value of \$10,000 or more shall be made subject to the bidding requirements of Section 103 of the General Municipal Law and Section 408- a of the County Law, unless the purchase is made under State Contract pursuant to Section 104 of the General Municipal Law. The advertisement for bids, or the purchase under State contract, must have prior authorization by resolution of the Board of Supervisors.
14. The following policy shall apply for professional services and consultants:
- a. \$1 - \$5,000: Selection of the contractor will be at the discretion of the Department Head, and with the approval of the Standing Committee and the Board of Supervisors.
 - b. \$5,001 - \$15,000: Prices will be obtained by formal written quotes from at least three (3) sources, if possible, and the award will be made at the recommendation of the Department Head and the Standing Committee and with the approval of the Board of Supervisors.
 - c. \$15,001 or more: Prices will be obtained by RFP, with the award of contract being made at the recommendation of the Department Head and the Standing Committee with the approval of the Board of Supervisors. Awards to other than the lowest proposer must be properly documented with the rationale/reason for rejection of the lowest price.

15. The Purchasing Agent will maintain adequate documentation of all action taken in connection with each method of procurement as outlined herein. Such documentation shall include but not be limited to any and all Board resolutions, memoranda, written quotes, telephone logs (for verbal quotes), requests for proposals, proposals, contracts and any other appropriate form of documentation.
16. Opportunity will be provided to all responsible vendors to submit proposals, quotes or bids. To this end the Purchasing Agent will develop and maintain lists of potential vendors for various types of materials, equipment and supplies. Such lists will be used in the development of a mailing list for distribution of specifications and invitations to bid. Any vendor may be included on the list upon individual request or referral by a department head.
17. Purchases made via "Piggyback Purchases" from a public purchasing cooperative or entity outside of New York State will require a Piggyback Purchase Authorization form to be complete prior to a purchase order being issued and the purchase being executed.
18. Only the Purchasing Agent will be authorized to enter the County into membership of a public purchasing cooperative, after approval of the Board of Supervisors.
19. Any decision to standardize a particular type or kind of equipment, materials or supplies shall be made in accordance with Section 103 of the General Municipal Law.
20. No county official or employee will have a financial interest in contracts entered into by the County as defined in Section 800 of the General Municipal Law. This also precludes acceptance of gratuities, financial or otherwise, by the above persons, from any supplier of materials or services to the County.
21. The County of Wayne will not be deemed responsible for any commitment to purchase made without the written authorization of the Purchasing Agent.
22. In situations where the purchase of goods or services has only one vendor that produces or sells the good or service, the Board of Supervisors must declare the vendor as a sole source and approve the purchase by resolution. This section only applies when quotes, request for proposals, or bids are required by policy.
23. The policies and procedures set forth in this resolution shall be reviewed annually by the Board of Supervisors.
25. The unintentional failure to fully comply with the provisions of General Municipal Law Section 104-b shall not be grounds to void any action taken or give rise to cause of action against the County of Wayne or any officer or employee thereof.
25. Any and all procedures not specifically covered in this policy will be adhered to as covered in General Municipal Law, Section 104-b.

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

RESOLUTION NO. 304-14: RESOLUTION OFFERING AN ALTERNATIVE TO THE PROPERTY TAX FREEZE THAT WILL LEAD TO PERMANENT AND HISTORIC PROPERTY TAX REDUCTIONS BY ELIMINATING THE COST OF STATE MANDATED SPENDING IMPOSED ON COUNTY PROPERTY TAXPAYERS

Ms. Park presented the following:

WHEREAS, the Governor and State Legislature have prioritized property tax relief as necessary to help improve the New York's economic competitiveness especially in struggling upstate areas where high property tax burden has contributed to a loss of economic opportunity, industrial and business decline, and flat or negative population growth over the last two decades, and

WHEREAS, the Governor has proposed a two year property tax freeze in these same economically burdened areas, that includes a state financed rebate for any increase in property taxes in municipalities that stay within the state imposed property tax cap over the next two years, while also pursuing shared services or consolidation of functions with other local

governments in the second year, and

WHEREAS, the proposed property tax freeze would create a new layer of tax bureaucracy and procedures with unknown costs to the taxpayers, which have not been adequately analyzed, calculated, and publically discussed, and

WHEREAS, County government has been a strong proponent of increasing cooperation, sharing services, and consolidating major governmental functions across multiple jurisdictions as highlighted in the 2013 Cornell University study, Shared Services in New York: A Reform That Works", and

WHEREAS, recent law changed enacted by the Governor and State Legislature to cap the growth in county Medicaid costs and the creation of another pension tier will help reduce pressure on future county property tax levy growth, especially in 2020 and beyond, and

WHEREAS, County elected leaders strongly support meaningful state and county efforts to lower the property tax burden for homeowners and businesses across the state, and

WHEREAS, the levying of county property taxes is directly linked to state mandated spending as county governments act as the state's administrative arm through the delivery and financing of state programs, and

WHEREAS, County officials believe the best way to improve New York's economic climate and competitiveness is to reduce property taxes through fundamental reform of state mandates that directly impacts the causes of high property taxes and not simply the symptoms (not just slow the rate of growth), and

WHEREAS, recognizing the need for property tax relief and consistent with the call for realignment of responsibilities between governments, aligning the cost of the state's human services programs with the government obligated to provide them will result in a historic and sustainable reduction in county property taxes and more appropriate and equitable distribution of the cost of the state's human services programs, and

WHEREAS, the cost of paying for the state Medicaid program in a typical county (outside of New York City) equals about one half of the county property tax levy, and

WHEREAS, the benefits, scope and ultimate cost of Medicaid has been set and controlled by the State for nearly 50 years, but not fully financed with state resources, therefore transferring a significant cost burden to local property tax payers that contributes greatly to the disparity between taxes in New York State and those in other states, and

WHEREAS, New York City tax payers also dedicate a large amount of locally raised non-property taxes to support the State Medicaid program, now therefore be it

RESOLVED, that counties find no quantifiable evidence that the property tax freeze would result in significant property tax relief, while a phased state takeover of the costs of its own mandated human services, starting with Medicaid, would provide immediate, permanent and measurable property tax reduction, and be it further

RESOLVED, that the State would also provide fiscal relief to New York City for a portion of the local taxes they commit to state mandated programs, and be it further

RESOLVED, that copies of this resolution be sent to the sixty-two counties of New York State encouraging member counties to enact similar resolutions, and be it further

RESOLVED, that the Clerk of the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator Michael Nozzolio, Assemblyman Robert Oaks, towns, villages, and all others deemed necessary and proper.

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

RESOLUTION NO. 305-14: AUTHORIZATION TO AMEND THE 2014 COUNTY BUDGET FOR THE 2012 CRITICAL INFRASTRUCTURE GRANT PROGRAM FOR E911 COMMUNICATIONS

Mr. Colacino presented the following:

WHEREAS, in 2013 Wayne County was awarded a \$39,700 reimbursement grant for the 2012 Critical Infrastructure Grant Program, and

WHEREAS, the \$39,700 award was placed in the 2013 budget line

A36422.52000.CIG12; and

WHEREAS, 2013 expenditures totaled \$30,043 plus \$8,220 in open purchase orders that did not close in 2013, resulting in \$1,437 of unspent grant funds that went back to Unappropriated Fund Balance at the end of 2013; and

WHEREAS, it is necessary to place those unspent grant funds into the 2014 budget; now, therefore, be it

RESOLVED, that the Treasurer is hereby authorized to transfer \$1,437 from the Unappropriated Fund Balance; and be it further

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

A3642 E911

(appropriations)

\$1,437 to .52000CIG12 – Equipment & Other Cap

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

RESOLUTION NO. 306-14: AUTHORIZATION TO CREATE THREE (3) PART TIME 911 DISPATCHER POSITIONS

Mr. Colacino presented the following:

WHEREAS, there are currently seven authorized Substitute Dispatcher Positions; and

WHEREAS, Substitute Dispatchers are not automatically eligible for full time employment; and

WHEREAS, it is desirable to add three Part Time Dispatcher Positions so that Part Time Dispatchers would be eligible for full time employment without the need for canvassing the Civil Service Eligible List and WHEREAS, these three positions can be added without additional county cost; now, therefore, be it

RESOLVED, that the Director of Human Resources is authorized to create three Part Time 911 Dispatcher positions.

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

RESOLUTION NO. 307-14: AUTHORIZATION TO ACCEPT FY2013 CRITICAL INFRASTRUCTURE GRANT AND AMEND BUDGET FOR EMERGENCY MANAGEMENT

Mr. Colacino presented the following:

WHEREAS, NYS had advised the Director of Emergency Management that Wayne County is one of 23 targeted counties for up to \$50,000 in competitive grant funding for critical infrastructure; and

WHEREAS, Wayne County has received notification that a grant in the amount of \$49,932 has been awarded with no local match required; and

WHEREAS, this grant funding shall be used to update IT Firewall technology and provide associated training and certification for said technology; now, therefore, be it

RESOLVED, that the Director of Emergency Management is authorized to accept said grant and the Chairman of the Board of Supervisors is authorized to sign the required contract, subject to the review and approval of the County Attorney, for the FY13 Emergency Management Performance Grant; and be it further

RESOLVED that the Director of IT is authorized to purchase said technology upgrade and training in accordance with county purchasing policy and grant requirements; and be it further

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

A3640-Emergency Management

(Revenues)

Amount	Object Code	Project Code	Object Name	Description
49,932	to 43302	CIG13	2013 Critical Infrastructure Grant Program	

(Appropriations)				
Amount	Object Code	Project Code	Object Name	Description
37,419	to 52000	CIG	Equipment & Other Cap Outlay	IT Firewall and Switch Upgrades (installed)
12,513	to 54483	CIG13	Training-Seminars-Schools	Training costs associated with upgrades

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

RESOLUTION NO. 308-14: AUTHORIZATION TO AMEND 2014 BUDGET FOR ADVANCED LIFE SUPPORT (ALS) COST CENTER

Mr. Colacino presented the following:

WHEREAS, the Advanced Life Support (ALS) Service acquired various expendable supplies at the end of 2013; and

WHEREAS, it will not be necessary to acquire these supplies as planned in 2014; and

WHEREAS, the County Administrator has recommended that the funds that are available be placed in Contingencies until such time as ALS or another department requires them; now therefore be it

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

A3644 ALS Services

(appropriations)

\$16,200 from .54100 Supplies and Materials

A1990 Contingent Fund Gen

(appropriations)

\$16,200 to .54000 Contractual Expense

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

RESOLUTION NO. 309-14: AUTHORIZATION TO PURCHASE UNINTERRUPTIBLE POWER SUPPLIES FOR EMERGENCY MANAGEMENT

Mr. Colacino presented the following:

WHEREAS, as part of Phase 2 of the Radio Interoperability Project, it was necessary and planned to purchase an uninterruptible power supply for each of the six tower sites, as said uninterruptible power supplies will provide for continuous power and device protection during transfer to generator power at the tower sites, and

WHEREAS, the following quotes were received:

RL Kistler Corporation	\$14,736.60 per unit
NTS Associates	\$ 9341.00 per unit
CDW-G	\$ 7550.00 per unit
GSA	\$ 9788.02 per unit
Seneca Data Distributors	\$ 9739.00 per unit

now, therefore, be it

RESOLVED, that, based on the aforementioned quotes, six Eaton 9155 uninterruptible power supplies shall be purchased for installation at each of the six radio transmit sites in the county, from CDW-G, at a total cost not exceed \$45,300.00, with funding for such purchase to be derived from the H1934 Radio Interoperability Project.

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

RESOLUTION NO. 310-14: AUTHORIZATION TO ENGAGE ARCHEOLOGICAL FIRM FOR TOWER PROJECT

Mr. Colacino presented the following:

WHEREAS, in association with phase 2 of the Radio Interoperability Project, it was

necessary to obtain certain licensing for operation over certain radio frequencies from both new and previously existing communications tower sites; and

WHEREAS, such licensure and registration is obtained from the FCC (Federal Communications Commission); as such, the County is required to comply with the National Historic Preservation Act of 1966, which includes a requirement to consult with any interested Native American Tribes that have indicated that they have a cultural interest in the areas in which we are constructing communications towers, as such interested parties have a right to request that an archeological study be conducted in the areas of construction; and

WHEREAS, three Native American Tribes have reported interest, and, as such, have requested that a phase 1B archeological survey of the sites of construction in the Towns of Butler and Williamson be conducted; and

WHEREAS, the following price quotes have been obtained by firms authorized to perform such archeological surveys:

Hartgen Archeological Associates of Rensselaer, NY	\$3,750.00
Tectonic Engineering & Surveying of Mountainville, NY	\$5,600.00
The University of Buffalo, NY	\$6,100.00

now, therefore, be it

RESOLVED, that Hartgen Archeological Associates of Rensselaer, NY shall be engaged to perform the aforementioned archeological surveys for the Butler and Williamson tower sites, in keeping with applicable federal requirements, with payment for such study to be from the H1934 Radio Interoperability Project.

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

RESOLUTION NO. 311-14: AUTHORIZATION TO ACCEPT 2014 EMERGENCY MANAGEMENT PERFORMANCE GRANT AND AMEND BUDGET

Mr. Colacino presented the following:

WHEREAS, NYS has advised the Director of Emergency Management that \$40,388 has been awarded to Wayne County under the FY14 Emergency Management Performance Grant for which no local match is required; and

WHEREAS, Wayne County had originally budgeted \$30,606 in 2014 revenues for this grant; and

WHEREAS, this leaves an additional \$9782 in unallocated revenues available for the 2014 budget; and

WHEREAS, there is a pressing need to replace the Emergency Services ID Card printer which prints ID's for the Fire and EMS services throughout the county; and

WHEREAS, there is a need to purchase a replacement projector for one that has failed; and

WHEREAS, there is a need to purchase Hydrogen Cyanide detectors for Fire Investigators; now, therefore, be it

RESOLVED, that the Director of Emergency Management is authorized to accept said grant and the Chairman of the Board of Supervisors is authorized to sign the required contract, subject to the review and approval of the County Attorney, for the FY12 Emergency Management Performance Grant; and be it further

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

A3640-Emergency Management

(Revenues)

Amount	Object#	Object Name
9,782 to	44305	LEMP Grant

(Appropriations)

Amount	Object#	Object Name	Description
5,192 to	52000	Equipment & Other Cap Outlay	ID Card Printer
1,497 to	52000	Equipment & Other Cap Outlay	Projector

3,093 to 52000 Equipment & Other Cap Outlay Hydrogen Cyanide Detectors
and be it further

RESOLVED, that the Director of Emergency Management is authorized to purchase the required projector, printer and Hydrogen Cyanide Detectors in accordance with county purchasing policy.

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

RESOLUTION NO. 312-14: AUTHORIZATION TO SURPLUS SHERIFF'S OFFICE VEHICLES

Mr. Colacino presented the following:

WHEREAS, the Wayne County Sheriff's Office has two high mileage vehicles that are no longer safe for police use; and

WHEREAS, the Sheriff is requesting to declare the following vehicles surplus and turn such vehicles over to County Highway for disposition:

2001 Ford Crown Victoria	VIN 2FAFP71W01X179568
2008 Chevy Impala	VIN 2G1WS553381267355

now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to declare surplus the aforementioned vehicles and turn said vehicles over to County Highway for disposition.

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

RESOLUTION NO. 313-14: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH SECURITRONICS FOR A NEW COMPUTER SERVER FOR THE JAIL CAMERA SYSTEM

Mr. Colacino presented the following:

WHEREAS, the Wayne County Sheriff's Office in 2009 purchased and installed a closed circuit camera system for the jail facility (resolution # 448-09); and

WHEREAS, *Securitronics* is the system vendor; and is currently the only supplier of the components that interface with the system; and

WHEREAS, in 2010 and 2013 additional cameras were added to the system; and

WHEREAS, with the additional cameras and greater resolution of the recordings, additional storage of the video data is necessary; and

WHEREAS, a quote has been received from *Securitronics* in the amount of \$12,092.43 to install a new computer server and software, which will allow for much greater data storage and longer retention of the video recordings; and

WHEREAS, the cost of the new computer server and software will be paid entirely by Jail revenue funds with no cost to County taxpayers; and

WHEREAS, the Sheriff is requesting authorization to purchase and have installed by *Securitronics* a new computer server and software for the current Jail closed circuit camera system at a cost not to exceed \$12,092.43, which shall be paid with Jail revenue funds at no cost to County taxpayers; now therefore, be it

RESOLVED, that the Sheriff is hereby authorized to purchase and have installed a new computer server and software for the current Jail closed circuit camera system, from the system vendor, *Securitronics*, for a cost not to exceed \$12,092.43; and further, be it

RESOLVED, that the Board of Supervisors authorizes the purchase of the stated computer and software from *Securitronics* as a sole source purchase; and be it further

RESOLVED, that the entire cost of said computer server and installation shall be paid with Jail revenue funds, at no cost to County taxpayers.

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

RESOLUTION NO. 314-14: AUTHORIZATION TO AMEND 2014 COUNTY ROADS BUDGET, APPROVE 2014 HIGHWAY CONSTRUCTION AND SUPPLEMENTAL PROJECT

STATEMENTS AND APPROPRIATE FUNDS

Mr. Miller presented the following:

WHEREAS, the New York State Department of Transportation has approved and allocated additional CHIPS Funds for the 2014-2015 Fiscal Year; and

WHEREAS the original CHIPS Funds allocated by the state was \$2,685,350.17 for the NYS fiscal year 2014-2015 with an additional \$238,398.38 due to a hard 2014 winter; and

WHEREAS, the county originally budgeted \$2,600,000; and

WHEREAS, in accordance with Section 115 of the Highway Law, the Superintendent of Highways has prepared project statements for the proposed work for the following projects:

14-97	Misc. Drainage Project	\$ 80,000
14-10	Townline Road Project	\$100,000
and supplemental project statement of proposed work for the following project:		
14-40	Surface Treatment Project	\$123,000
14-94	Hot In Place Recycle Project	\$ 78,000
14-79	Ridge Road, Williamson	\$ 20,000
14-55	Arcadia-Zurich-Norris Rd. Cold In Place Recycle Project	\$340,000
14-45	Lake Road Milling & Paving Project	\$170,000

now, therefore, be it

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

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2014 D County Roads Fund Budget as follows:

INCREASE		
<u>D51112.52600-Road Construction – Highway Construction</u>		\$323,748.55
<u>D99990 – Other</u>		\$323,748.55

create line items and transfer funds as listed below:

<u>D51112.52600-Road Construction – Highway Construction</u>	
\$347,748.55 from D51122.52600	Road Construction – Highway Construction
\$223,251.45 from D51122.52900	Bridge Construction – Highway Construction
\$150,000 from D51122.52668	Macedon Center Road Project
\$145,000 from D51122.52696	Lake Rd Milling & Paving Project
\$ 45,000 from D51122.52639	Ridge Chapel Culvert Project
\$80,000 to D51122.52697	Misc. Drainage Project
\$100,000 to D51122.52610	Townline Road Project
\$123,000 to D51122.52640	Surface Treatment Project
\$78,000 to D51122.52694	Hot In Place Recycle Project
\$20,000 to D51122.52679	Ridge Road, Williamson Project
\$340,000 to D51122.52655	Arcadia-Zurich-Norris Road Project
\$170,000 to D51122.52645	Lake Road Paving & Milling Project

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

RESOLUTION NO. 315-14: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH SECOR BUILDING SOLUTIONS FOR WINDOW REPLACEMENT IN THE HUMAN RESOURCE DEPARTMENT

Mr. Miller presented the following:

WHEREAS, the Superintendent of Public Works has requested proposals from four contractors for the replacement of windows in the Human Resource Department in 26 Church St; and

WHEREAS, the following proposals were received by the due date:

Arcadia Glass Inc.	\$36,805.00
6812 Route 31 E	

Newark, NY 14513

Rochester Colonial **\$34,782.00**
1794 Lyell Avenue
Rochester, NY 14606

Secor Building Solutions **\$20,880.00**
13140 W. Church St.
Savannah, NY 13146

and

WHEREAS, the Superintendent of Public Work has review all proposals and found that all meeting the minimum specifications; and

WHEREAS, the proposal from Secor Building Solutions for \$20,880.00 falls below the County Purchasing Policy bidding threshold; now, therefore, be it

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

Secor Building Solutions for window replacement in the Human Resource Department for cost of \$20,880.00, 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. 316-14: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH HUNT ENGINEERS FOR THE WAYNE COUNTY HORIZONTAL CURVE SIGNAGE INSTALLATION PROJECT

Mr. Miller presented the following:

WHEREAS, the Wayne County Horizontal Curve Signage installation project is funded with 90% Federal and 10% local funds; and

WHEREAS, the project is now in the construction phase which will require part-time construction inspection services to document the work of the Wayne County Highway Department staff; and

WHEREAS, the NYSDOT has approved this work as an eligible expense to be included in the project in the amount of \$35,000; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Hunt Engineers for the not to exceed cost of \$35,000 associated with the construction inspection tasks for the Wayne County Horizontal Curve Signage installation project (PIN 4755.88).

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

Mrs. Deyo requested a summarization of this project. Kevin Rooney, Superintendent of Public Works, responded that a study was conducted on the curvature of roads and this resolution is for a supplemental agreement for inspections services for this project, primary funded by federal funds.

Upon roll call, adopted.

RESOLUTION NO. 317-14: AUTHORIZATION TO ENTER INTO AGREEMENT WITH SIMPLEX GRINNELL FOR FIRE ALARM PANEL UPGRADES IN 26 CHURCH ST & 16 WILLIAM ST

Mr. Miller presented the following:

WHEREAS, the current Simplex fire panel in both 26 Church St (Court House) and 16 William St. (Treasurer building) are obsolete and becoming difficult to find repair parts; and

WHEREAS, Simplex has suggested that we look into update them; and

WHEREAS, the proposal from Simplex Grinnell has been received for a total cost of \$14,666.53 for both buildings, and

WHEREAS, this equipment is on New York State Contract; and
WHEREAS, the 2014 Building & Grounds Budget for maintenance & repair included funding for this work and this cost is within the budgeted amount; now therefore be it

RESOLVED, that the Superintendent of Public Works is hereby authorized and directed to contract on behalf of the County of Wayne, with Simplex Grinnell for a cost not to exceed \$14,666.53.

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

RESOLUTION NO. 318-14: AUTHORIZATION TO ACCEPT LOW BID FOR PURCHASE OF ONE BRUSH CHIPPER FOR THE HIGHWAY DEPARTMENT

Mr. Miller presented the following:

WHEREAS, the 2014 budget addendum includes funds for purchasing a brush chipper for the Highway Department; and

WHEREAS, the County Superintendent of Public Works request to advertise for said purchase was approved, pursuant to Resolution No. 262-14; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids and proposals were opened on Wednesday, April 30, 2014 at 2:00 p.m. and the following bids were received:

TRACEY ROAD EQUIPMENT	\$44,375
6803 Manlius Center Road East Syracuse, NY 13057	

BOBCAT OF CNY	\$39,116
6926 Fly Road East Syracuse, NY 13057	

BOBCAT OF BUFFALO	\$38,934
6511 South Transit Rd Lockport, NY 14094	

BOBCAT OF BUFFALO	\$43,595
6511 South Transit Rd Lockport, NY 14094	

and

WHEREAS, most of the bids submitted had minor exceptions, except for the bid from Bobcat of Buffalo for the \$38,934 machine which had several significant exceptions and was not considered; now, therefore, be it

RESOLVED, that the bid submitted by Bobcat of CNY with the bid price of \$ 39,116 in accordance with the specifications, is hereby accepted; and be it further

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

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

RESOLUTION NO. 319-14: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH THE NYSDOT FOR CONSTRUCTION COSTS ASSOCIATED WITH THE WAYNE COUNTY HORIZONTAL CURVE SIGNAGE INSTALLATION PROJECT

Mr. Miller presented the following:

WHEREAS, the original agreement between Wayne County and the NYSDOT only included funds for the design phase of the project in the amount of \$25,000; and

WHEREAS, the NYSDOT has authorized the construction phase of this project for a total additional cost to the project of \$269,000, which is distributed as follows:

Construction - \$218,000 (Wayne Co)
Contingency - \$11,000 (Wayne Co)
Admin - \$5,000 (Wayne Co)
Construction Admin - \$35,000 (Hunt)

and

WHEREAS, the Wayne County Highway Department will be acting as the Contractor for this project; and WHEREAS, this supplemental agreement for \$269,000 will be funded with 90% Federal funds, and 10% Local funds, now, therefore, be it

RESOLVED that the Wayne County Board of Supervisors hereby agrees to pay in the first instance 100% of the federal and non-federal share of the cost of the Construction Phase work for the Project or portions thereof; and it is further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed

to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and

content with the NYSDOT for an additional \$269,000; and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$26,900 from the Unassigned D Fund Balance; and but it further

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

D9999 – OTHER:

(Revenues)

\$242,100 to .44511 Marchiselli Funds – Federal (90%)

D5112 – ROAD CONSTRUCTION:

(Appropriations)

\$269,000 to .52689 Wayne County Horizontal Curve Signage Installation project

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

RESOLUTION NO. 320-14: AUTHORIZATION TO ENTER INTO AGREEMENT WITH RAYMOND F. WAGER, CPA FOR NYSDOT AUDIT

Mr. Miller presented the following:

WHEREAS, the NYSDOT requires that an audit be performed on the Arcadia-Zurich Road bridge project prior to final closeout of the project; and

WHEREAS, a not-to-exceed price of \$1750 has been provided by Raymond F. Wager, CPA to perform the necessary audit tasks; and

WHEREAS, the cost of this audit is a reimbursable expense to the project; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an agreement with

Raymond F. Wager, CPA to provide these services for the not to exceed price of \$1750.

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

RESOLUTION NO. 321-14: AUTHORIZATION TO ENTER INTO AGREEMENT WITH ONTARIO COUNTY FOR SHARED RESOURCES IN THE HIGHWAY DEPARTMENT

Mr. Miller presented the following:

WHEREAS, on occasion, the Wayne County Highway Department may require assistance in the form of labor or equipment from other municipalities; and

WHEREAS, the Superintendent of Public Works wishes to enter into a shared services agreement with Ontario County for the use of these resources; now, therefore be it

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

agreement with Ontario County, subject to the County Attorney's approval, for the shared use of Highway resources.

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

RESOLUTION NO. 322-14: AUTHORIZATION TO SELL SURPLUS COUNTY PROPERTY TO ADJACENT LANDOWNER IN TOWN OF PALMYRA

Mr. Miller presented the following:

WHEREAS, Steven J. Wright, a resident of the Town of Palmyra, County of Wayne, has expressed interest in purchasing a portion of County property that is adjacent to real property he now owns located at 2520 Hydesville Road, Town of Palmyra; and

WHEREAS, this County property was previously acquired by the County of Wayne for an intended use of improving North Creek Road, but that said improvement has not been made and is no longer deemed necessary; and

WHEREAS, the subject parcel which Mr. Wright proposes to purchase from the County of Wayne is approximately 0.875 acre, and is not currently being used for any purpose by the County; and

WHEREAS, said parcel is described as follows:

"All that Piece or Parcel of Property unnecessary for Highway purposes along the improved

HYDESVILLE ROAD C.R. No. 221 situate in the Town of Palmyra, County of Wayne, State

of New York; as shown on a plan of Project No. 45 filed in the Wayne County Highway

Department office at Lyons, New York, and described as follows:

221 U.N.R.O.W. Parcel No. 5

Beginning at a point in the Southerly Right of Way Line of the present HYDESVILLE ROAD C.R. 221, said point being 59.0 feet distant Southwesterly measured at right angles from station 192+03 on said centerline; thence Southeasterly 61± feet along the Southerly R.O.W. line to a point, said point being 50.0 feet distant Southwesterly measured at right angles from Station 191+43 on said centerline; thence Southeasterly 243± feet along the old Hydesville Road centerline to a point in the Northwesterly R.O.W. line of the North Creek Rd. C.R. 223, said point being 33.0 feet West Northwesterly measured at right angles from Station 301+42 on the North Creek Rd. centerline; thence Southwesterly 54± feet to a point, said point being 30.0 feet distant Northwesterly measured at right angles from Station 302+00 on said centerline; thence West Southwesterly 98± feet to a point, said point being 46.0 feet distant Northwesterly measured at right angles from Station 303+00 on said centerline; thence Southwesterly 110± feet to a point, said point being 40.0 feet distant North Northwesterly measured at right angles from Station 304+18 on said centerline, said point also being the intersection of the Northerly R.O.W. line of North Creek Rd. C.R. 223 and the property line between the lands of STEVEN J. WRIGHT (reputed owner) on the West and WAYNE COUNTY (reputed owner) on the East; thence Northerly 378± feet along the aforesaid property line to a point, said point being 72.0 feet distant Southwesterly measured at right angles from Station 191+58 on the centerline of the improvement of a portion of the HYDESVILLE RD. C.R. 221; thence North Northwesterly 49± feet along the aforesaid property line to the point of beginning and containing 0.875 acre of land.

SAID premises are conveyed subject to the following express conditions and restrictions, which shall run with the land and shall apply. In order to maintain a "sight" line for road traffic, no obstacles or obstructions are to be built or planted within 50 (fifty) feet of the centerline of the road.

SUBJECT to any easements, covenants and restrictions of record affecting the above premises, if any.”; and

WHEREAS, the Superintendent of Public Works has confirmed that the aforesaid subject parcel is not needed by the County of Wayne for any purpose; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby declares that the subject parcel is no longer necessary for public use, and said parcel is therefore declared to be surplus property; and be it further

RESOLVED, that the subject parcel may be sold by the County of Wayne to Steven J. Wright, for the sum of \$1,000 per acre, for a total sales price of Eight Hundred Seventy-Five Dollars (\$875.00); and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute a quit-claim deed, and any and all other documents which may be required to convey title of this parcel, to Steven J. Wright in exchange for his payment of the sale price indicated hereinabove.

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

RESOLUTION NO. 323-14: AUTHORIZING CONTRACTS WITH TOWNS PARTICIPATING IN WEED HARVESTING PROGRAM AND AUTHORIZING PAYMENTS TO WAYNE COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR WEED HARVESTING PROGRAM

Mr. Miller presented the following:

WHEREAS, Wayne County participates in the funding of the annual Weed Harvesting Program that is performed by the Wayne County Soil and Water District; and

WHEREAS, county funding for this program is contingent on the Towns of Huron, Sodus, and Wolcott participating in the program; and

WHEREAS, these towns pay the County their respective portions toward the program providing a total of \$15,000 annually in Town participation; and

WHEREAS, the County provides \$85,000 annually toward the program; and

WHEREAS, the combined County-Town amount is \$100,000; now therefore be it

RESOLVED, that the Wayne County Soil and Water Conservation District shall be reimbursed a total cost not to exceed \$100,000 annually by monthly voucher for actual costs for the Weed Harvesting Program provided that the County of Wayne has received the \$15,000 annual combined contribution toward the program from the following towns and in the following amounts:

Town of Huron	\$ 9,000
Town of Sodus	\$ 4,000
Town of Wolcott	\$ 2,000

and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute contracts for the period January 1, 2014 to December 31, 2015 with the Towns of Huron, Sodus, and Wolcott in the annual amounts proscribed herein to facilitate the participation of those towns in the Weed Harvesting Program, subject to the review and approval as to form and content of the County Attorney.

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

RESOLUTION NO. 324-14: AUTHORIZATION TO ACCEPT BIDS FOR THE ELEVATOR PROJECT AT 9 PEARL STREET AND AMEND BUDGET

Mr. Miller presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the Wayne County 9 Pearl Street Elevator Project; and

WHEREAS, the following bids were received by 2 pm on Friday, April 25, 2014 and public opened:

No. 1A - GENERAL CONSTRUCTION

- 1. Bette & Cring, LLC \$597,000
18438 US Route 11
Watertown, NY 13601
- 2. Nicoletta Building \$609,300
108 Davis Parkway
Clyde, NY 14433
- 3. Massa Construction \$663,000
630 Pre-Emption Road
Geneva, NY 14456
- 4. Bouley Associates \$767,000
265 Genesee Street, Suite 4
Auburn, NY 13021

- 2. King & King Mechanical \$64,369
16 Fairway Drive
Auburn, NY 13021

No. 1C - PLUMBING CONSTRUCTION

- 1. Monroe Piping \$35,900
68 Humboldt St.
Rochester, NY 14609

No. 1D - ELECTRICAL CONSTRUCTION

- 1. Weydman Electric \$68,700
141 Midler Park Drive
Syracuse, NY 13206
- 2. Scriba Electric \$92,314
82 Creamery Road
Oswego, NY 13126

No. 1B - MECHANICAL CONSTRUCTION

- 1. Monroe Piping \$64,150
68 Humboldt St.
Rochester, NY 14609

now, therefore, be it

RESOLVED, pursuant to the recommendation of the Public Works Committee of the Board of Supervisors, that the following bids are hereby accepted:

No. 1A - GENERAL CONSTRUCTION

- Bette & Cring, LLC \$597,000
18438 US Route 11
Watertown, NY 13601

No. 1C - ELECTRICAL CONSTRUCTION

- Weydman Electric \$68,700
141 Midler Park Drive
Syracuse, NY 13206

No. 1B - MECHANICAL CONSTRUCTION

- Monroe Piping \$64,150
68 Humboldt St.
Rochester, NY 1460

No. 1D - PLUMBING CONSTRUCTION

- Monroe Piping \$35,900
68 Humboldt St.
Rochester, NY 14609

and

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the project contracts on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content; and

RESOLVED, that the Wayne County Board of Supervisors appoints the Public Works Superintendent as the project payroll certifier per the requirements of the Community Development Block Grant; and be it further,

RESOLVED, that the Wayne County Treasurer is authorized to transfer \$255,750 from A387801 Capital Reserve; and be it further

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

A9950 Transfer to Capital Fund Project

(Appropriations)

\$255,750 to 52774 Building Renovations Cap. Proj. (Elev9 – Pearl Street Building Elevator)

H1933 Building Renovation Projects

(Revenue)

\$255,750 to 45031 Interfund Transfer (Elev9-Pearl Street Building Elevator)
(Appropriations)

\$30,000 from 54520 Consultants (Elev9-Pearl Street Building Elevator)

\$285,750 to 52000 Equipment & Other Cap Outlay (Elev9-Pearl Street Building Elevator)

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

RESOLUTION NO. 325-14: AUTHORIZATION FOR WAYNE CAP TO PROCEED WITH IMPROVEMENTS TO BUILDING AT 159 MONTEZUMA STREET, LYONS

Mr. Miller presented the following:

WHEREAS, Wayne CAP, Inc. has a lease with the Wayne County for a structure at 159 Montezuma Street, Lyons; and

WHEREAS, Wayne CAP desires to improve the lighting at the facility at Wayne CAP expense; now, therefore, be it

RESOLVED, that Wayne CAP, Inc. is hereby authorized to make the improvements described herein at the sole expense of Wayne CAP.

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

RESOLUTION NO. 326-14: AUTHORIZATION TO EXECUTE DOCUMENTATION AND ACCEPT NYS OFFICE OF COMMUNITY RENEWAL'S COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE WAYNE COUNTY LATERAL CONNECTION AND WELL/SEPTIC REPAIR ASSISTANCE PROGRAM

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne was awarded a \$745,300 Community Development Block Grant (CDBG) from the New York State Office of Community Renewal on April 17, 2014; and

WHEREAS, this grant is intended to fund a project to install water and sewer lateral connections or improve/repair septic and/or wells on properties in Wayne County; now, therefore, be it

RESOLVED, the County of Wayne accepts the Grant known as CDBG Project # 1219HR46-13, approved under the New York State Homes and Community Renewal Community Development Block Grant Program; and be it further

RESOLVED, the Chairman of the Board of Supervisors, Wayne County, New York, is hereby authorized as the official representative of the County to execute the CDBG Grant Agreement, all understandings and assurances contained therein, and is hereby directed and authorized to act in connection with the implementation of the program and to provide such additional information as may be required, pending approval of the County Attorney as to form and content.

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

RESOLUTION NO. 327-14: DESIGNATING CERTIFYING OFFICER AND MAKING A DETERMINATION UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) AND STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR)

Mr. Spickerman presented the following:

WHEREAS, Wayne County applied to the New York State Housing Trust Fund Corporation, Office of Community Renewal ("OCR") for New York State Community Development Block Grant ("NYS CDBG") funds to fund a project to install water and sewer lateral connections or improve/repair septic and/or wells on properties in Wayne County; and

WHEREAS, OCR has selected the County to receive an award in the amount of \$745,300 regarding said project; and

WHEREAS, per the terms of NYS CDBG awards, all NYS CDBG recipients consent to assuming Responsible Entity status under the National Environmental Policy Act of 1969

("NEPA"), consent to assuming responsibility to determine the degree to which NEPA, the State Environmental Quality Review Act ("SEQRA"), and the State Historic Preservation Office ("SHPO") requirements impact their project, and consent to ensuring compliance with NEPA, SEQRA and SHPO requirements; and

WHEREAS, so as to ensure compliance with the NEPA, SEQRA and SHPO requirements, CDBG recipients are also required to classify the project under NEPA, to prepare an Environmental Review Record ("ERR"), to designate a Certifying Officer to submit the environmental review to OCR, and to publish and send required notices of the opportunity to comment upon the ERR; and

WHEREAS, the Project is subject to classification under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, lateral connections and well and septic repair and replacements for single-family residences are classified as Type II under the current Department of Environmental Conservation SEQR Regulations (6 NYCRR §617.5(c) (1), (2), (9) and (11)); and

WHEREAS, the SEQR Regulation (6 NYCRR §617.5(a)) declares Type II Actions to be actions that have no significant impact on the environment and require no further review under SEQR; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby classifies the project as "Categorically Excluded" under NEPA 24 CFR 58.35 (a), and be it further

RESOLVED, that the Wayne County, acting as Lead Agency, has determined that the project fits within the parameters of the Type II criteria, and therefore, no further SEQRA processing is required, and be it further

RESOLVED, that the Board of Supervisors directs the Wayne County Economic Development and Planning Department to prepare the required ERR and to coordinate compliance with other NEPA, SEQRA, and SHPO requirements; and be it further

RESOLVED, that the Board of Supervisors hereby designates Amy D'Angelo, Sr. Planner, Wayne County Economic Development and Planning Department, as the Certifying Officer for purposes of submitting the Environmental Review to OCR; and be it further

RESOLVED, that the Board of Supervisors hereby authorizes Sandra J. Sloane, Clerk, Wayne County Board of Supervisors, to assist in the publication of any required notices and in the receipt of any comments submitted regarding the ERR.

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

RESOLUTION NO. 328-14: AUTHORIZE FUNDING OF THE WAYNE COUNTY LATERAL CONNECTION AND WELL/SEPTIC REPAIR ASSISTANCE PROGRAM

Mr. Spickerman presented the following:

WHEREAS, Wayne County applied to the New York State Housing Trust Fund Corporation, Office of Community Renewal ("OCR") for New York State Community Development Block Grant ("NYS CDBG") funds to fund a project to install water and sewer lateral connections or improve/repair septic and/or wells on properties owned by low and moderate income individuals/families in Wayne County; and

WHEREAS, OCR has selected the County to receive an award in the amount of \$745,300 regarding said project; and

WHEREAS, that Resolution No. _____ accepted a Community Development Block Grant in the amount of \$745,300 as full funding for the Wayne County Water and Sewer Lateral Connection and Well/Septic Repair Assistance Program; now therefore be it

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

H1950 CDBG Housing Rehabilitation

(Revenues)

\$745,300 to 44091 CDBG

(Appropriations)

\$745,300 to 52000 Equipment & Other Cap Outlay

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Groat.

Mr. Spickerman moved, seconded by Mr. Miller, that the resolution be amended by adding the **Resolution No. 326-14** to the third "WHEREAS" clause. Motion carried.

Upon roll call on the amended resolution, the Chairman declared the resolution adopted.

RESOLUTION NO. 329-14: AUTHORIZATION TO PREPARE AND SUBMIT A SNOWMOBILE TRAILS GRANT-IN-AID "PHASE 1- TRAIL SYSTEM PRIOR APPROVAL" and a "PHASE 2 - APPLICATION" ON BEHALF OF WAYNE COUNTY SNOWMOBILE CLUBS

Mr. Spickerman presented the following:

WHEREAS, Resolution 560-98 established Wayne County as the Local Sponsor for the Snowmobile Trails Grant-In-Aid Program offered through the NYS Office of Parks, Recreation and Historic Preservation (OPRHP); and

WHEREAS, the County Planning Department has prepared applications to said grant program on behalf of snowmobile clubs in the County since 1998; and

WHEREAS, the County continues to recognize and support the recreational and economic benefits of snowmobiling throughout the County; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Wayne County Economic Development and Planning Department to prepare and submit a Phase 1- Trail System Prior Approval and to prepare and submit a Phase II – Application to NYS OPRHP's Snowmobile Trails Grant-In-Aid Program for the 2014/2015 funding cycle, pending approval by the County Attorney as to form and content.

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

RESOLUTION NO. 330-14: AUTHORIZATION TO ACKNOWLEDGE COUNTY PLANNING BOARD APPOINTMENT

Mr. Spickerman presented the following:

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

David Broach, 14000 Route 31, Savannah, NY 13146; and

WHEREAS, the Town of Savannah has recommended his reappointment to the County Planning Board; now, therefore, be it

RESOLVED, that David Broach shall be reappointed for an additional three year term 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. 331-14: AUTHORIZE SUBMISSION OF CDBG APPLICATION

Mr. Spickerman presented the following:

WHEREAS, there are a growing number of properties in the County that are tax delinquent, deteriorated and blighted and no longer in productive use; and

WHEREAS, many of these properties are former industrial and business sites and, because of their condition, have created significant negative impacts on nearby neighborhoods where low and moderate income individuals live and work; and

WHEREAS, the Board of Supervisors plans to file a 2014 Community Development Block Grant (CDBG) application requesting funds to remove and address these blighted conditions so that they can be reused as productive industrial or commercial sites, employing low and moderate income individuals; now, therefore, be it

RESOLVED, that said application shall be prepared and filed under the direction and supervision of the County Economic Development and Planning Office; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby

authorized and directed to execute any agreements or documents necessary to implement this resolution on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 332-14: AUTHORIZATION FOR WAYNE COUNTY TOURISM TO DECLARE EQUIPMENT AS SURPLUS

Mr. Spickerman presented the following:

WHEREAS, Wayne County Tourism has a printer, HP Laserjet 4050N (SN# USBC051110) that does not work and needs to be declared as surplus as per the Wayne County Equipment Surplus Policy; now, therefore, be it

RESOLVED that the Director of Tourism is hereby authorized and directed to declare the above piece of equipment as surplus and to be disposed of as per the Wayne County Equipment Surplus Policy:

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

RESOLUTION NO. 333-14: AUTHORIZATION TO PURCHASE FROM DOMINION VOTING SYSTEMS, NEW YORK STATE CONTRACT VENDOR, HARDWARE, FIRMWARE AND SOFTWARE MAINTENANCE FOR THE WAYNE COUNTY BOARD OF ELECTIONS

Mrs. Crane presented the following:

WHEREAS, the Wayne County Board of Elections has previously purchased voting machines and voting related systems from Dominion Voting Systems Corp. pursuant to New York State Contract; and

WHEREAS, the Wayne County Board of Elections seeks to purchase from Dominion Voting Systems Corp., New York State Contract Vendor, Hardware, Firmware and Software Maintenance for the voting machines and EMS system, pursuant to New York State Contracts, as authorized by New York State Office of General Services; and

WHEREAS, by purchasing Hardware, Firmware and Software Maintenance on a multi-year basis from Dominion Voting Systems Corp., the Wayne County Board of Elections Office shall receive from Dominion Voting Systems Corp. a significant financial discount savings totaling \$15,170.87; and

WHEREAS, the cost of the purchase of Hardware, Firmware and Software Maintenance on a multi-year basis from Dominion Voting Systems Corp. shall be \$60,853.33, which is fully reimbursable with NYS Shoebox funds;

Now, therefore, be it

RESOLVED, that the Wayne County Board of Elections is hereby authorized to purchase from New York State Contract, the Hardware, Firmware and Software Maintenance; and be it further

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

A1450 Board of Elections

(Revenues)

\$60,856.33 to 43968 Shoebox

(Appropriations)

\$60,856.33 to 54424 Equipment-Maintenance Contract

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

RESOLUTION NO. 334-14: AUTHORIZING THE DIRECTOR OF HUMAN RESOURCES TO MAKE MODIFICATIONS AND PROVIDE EMPLOYEE NOTICES TO BRING CURRENT BENEFIT PLANS INTO CONFORMANCE WITH THE REQUIREMENTS OF THE PATIENT

PROTECTION AND AFFORDABLE CARE ACT AND THE CODE OF THE INTERNAL REVENUE SERVICE

Mrs. Crane presented the following:

WHEREAS, Wayne County ("the County") offers employee benefit plans which are regulated by federal law and which must be brought into conformance with federal law as the law or implementing regulations are promulgated or revised; and

WHEREAS, the Patient Protection and Affordable Care Act (PPACA) was signed into law on March 23, 2010 and will continue to be implemented over the next five or more years; and

WHEREAS, some portions of the PPACA will be regulated through the code of the Internal Revenue Service (IRS) and enforced by the IRS; and

WHEREAS, the County is required to make technical changes and provide employee notices to bring the existing Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) benefit plans into conformance with the PPACA and IRS code and has no real control over doing so; now, therefore, be it

RESOLVED, that the Director of Human Resources, subject to the review of the County Attorney, is authorized to make required revisions to plan documents and provide required employee notifications; and be it further

RESOLVED, that the introduction and implementation of new or optional benefits continues to require specific approval by the Board of Supervisors via resolution.

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

RESOLUTION NO. 335-14: AUTHORIZING A FIVE (5) YEAR CONTRACT FOR A DEFERRED COMPENSATION PROVIDER

Mrs. Crane presented the following:

WHEREAS, Wayne County is a local public employer, which has adopted a deferred compensation plan pursuant to Section 5 of the New York State Finance Law; and

WHEREAS, the purpose of such plan is to provide employees with a convenient and tax-favored method of saving on a regular and long-term basis, and thereby provide for their retirement; and

WHEREAS, this plan is now due for renewal under procedures set forth by the New York State Deferred Compensation Board; and

WHEREAS, the Wayne County Board of Supervisors authorized resolution 384-13 establishing an Advisory Committee to revise the model plan, assist with the Request for Proposal (RFP, competitive bidding) process, and make a recommendation to the Board for a provider to continue the Deferred Compensation Plan; and

WHEREAS, the Wayne County Board of Supervisors authorized resolution 603-13 which adopted the revised and restated the Deferred Compensation (457) Model Plan; and

WHEREAS, the RFP was published in early January 2014 as required by New York State Law; and

WHEREAS, eight proposals were received in response to the RFP; and

WHEREAS, each of these proposals was analyzed by the Advisory Committee and the three most responsive bidders were interviewed by the Committee; and

WHEREAS, the Advisory Committee has recommended the bidder who is best able to provide the County with a Deferred Compensation Plan; now, therefore, be it

RESOLVED that the Chairman of the Wayne County Board of Supervisors is hereby authorized to contract for a five (5) year period with MassMutual Life Insurance Company in conjunction with Reliance Trust Company as Trustee.

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

RESOLUTION NO. 336-14: ESTABLISHING ADVISORY COMMITTEE TO PROVIDE OVERSIGHT AND MAKE RECOMMENDATIONS TO THE BOARD OF SUPERVISORS CONCERNING THE DEFERRED COMPENSATION PLAN AND PROGRAM

Mrs. Crane presented the following:

WHEREAS, the Wayne County Board of Supervisors adopted Resolution No. 527-90 which established a Deferred Compensation Plan (457 Plan); and

WHEREAS, the County adopted Resolution No. 384-13 established an Advisory Committee to revise the model plan, assist with the Request for Proposal (RFP, competitive bidding) process, and make a recommendation to the Board for a provider to continue the Deferred Compensation Plan; and

WHEREAS, through this process, the Advisory Committee has developed greater knowledge of the Deferred Compensation (457) Model Plan; and

WHEREAS, the Human Resources Director recommends that the Advisory Committee be continued to assist with communications, analysis, and promotion of the benefits of the plan; and

WHEREAS, some members of the current Advisory Committee have expressed an interest in continuing the committee and participating in it; now, therefore, be it

RESOLVED that the Board of Supervisors hereby establishes an on-going Deferred Compensation Advisory Committee comprised of two (2) members of the Board of Supervisors to be named by the Chairman of the Board, the County Attorney or his designee, the Fiscal Assistant, the Director of Human Resources, one (1) representative from the CSEA, and one (1) representative from either IUE-CWA, the Sheriff's Police Officers, or Sheriff's Employees units to be selected by the Chairman of the Board of Supervisors from among nominations made from these bargaining units.

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

RESOLUTION NO. 337-14: ESTABLISHING WAYNE COUNTY PAYROLL POLICY AND PROCEDURE

Mrs. Crane presented the following:

WHEREAS, the Wayne County Board of Supervisors adopted resolution 653-12 requiring certification of payroll records; and

WHEREAS, County departments have sought additional guidance and explicit standardization of payroll policy and procedures, and

WHEREAS, the Director of Human Resources, after consultation with other departments, has developed a comprehensive policy and procedure regarding employer and employee responsibilities for the creation, review, certification, and submission of accurate and timely payroll records; and

WHEREAS, this policy and procedure has been reviewed by the appropriate committee of the Board, now, therefore be it

RESOLVED, that the Board of Supervisors hereby adopts the Payroll Policy and Procedure; and be it further

RESOLVED, that the Director of Human Resources shall distribute this Payroll Policy and Procedure to all department heads and other appropriate employees for its immediate implementation; and be it further

RESOLVED, that the following Payroll and Policy Procedure is hereby adopted by the Wayne County Board of Supervisors:

PAYROLL POLICY AND PROCEDURE

GENERAL POLICY:

The Fair Labor Standards Act (FLSA) requires that employers keep records for nonexempt employees, including hours worked each day and total hours worked each week. Under the FLSA, employers have the ultimate responsibility to maintain these records.

All Wayne County employees are required to submit a signed time and attendance record or to submit time electronically to be paid for time worked. Each employee must sign the time and attendance submission to certify that the time he/she submits is correct. Any employee who fails to submit a time and attendance record will not be paid. (See resolution 653-12.)

Paychecks or paystubs may not be released to any Department that has not submitted a certified time and attendance record for the pay period.

SECTION 1. EMPLOYEE RESPONSIBILITIES:

Each employee has the responsibility to complete a signed time and attendance record (supplied by Human Resources/Payroll) for each pay period.

- The time and attendance record must include:
- The total regular hours (base pay) worked each day
- The total regular hours worked in the pay period
- Any approved paid leave each day (annual leave, holiday, sick leave)
- The total approved paid leave taken in the pay period
- The total overtime hours, if any, worked each day
- The total overtime hours worked in the pay period
- Any hours of "no pay" or "additional pay" (pay-code options are shown on the time and attendance report.)

Each employee must sign the time and attendance record to certify that the time submitted to be paid is correct.

The time and attendance record must not be submitted to the Department head or his/her designee until the end of the pay period, unless the employee will be absent when the submission is due.

The time sheet must be given to the Department head or his/her designee for certification.

SECTION 2. DEPARTMENT RESPONSIBILITIES: (Department Head, supervisor, or designee)

A bi-weekly time sheet must be submitted for all employees who remain active in the payroll system. If an employee is on an unpaid leave of absence, his/her time sheet must be marked as such and keyed into MUNIS.

Departments must submit a personnel change notice to the Department of Human Resources for all personnel actions including approval of an unpaid leave of absence, resignation, suspension without pay, etc.

The Department head or his/her designee receives each employee's time and attendance record for review and certification.

Review Options:

- The time sheet is correct as submitted; the supervisor certifies the record and submits it for processing.
- The time sheet is incorrect as submitted; the supervisor returns it to the employee for correction, or discusses the record with the employee. The employee revises the record, the supervisor certifies the revised record, and submits it for processing.
- The time sheet is incorrect as submitted; but the employee is not present at work (for example, the employee has the day off.) The supervisor makes the correction, initials it, certifies the revised record, makes and retains a copy of the revised record, and submits the original record to Human Resources for processing. Upon the employee's return to work, the supervisor discusses the record with the employee, and informs the employee of the revision.

- The employee may challenge the revision with the supervisor. If any change in the pay record results, the adjustment will be made in the next payroll cycle after the challenge has been resolved.

SECTION 3. SUBMISSION OF PAYROLL:

Payroll is opened for time entry on the day after the end of the two-week pay period. Human Resources/Payroll notifies all Department payroll liaisons when payroll is "open for time entry". Payroll entry must be completed by 5 pm on Friday following the opening of payroll. There will be time available on the following Monday for payroll corrections to be entered.

SECTION 4. DISTRIBUTION OF PAYCHECKS, PAY STUBS:

All paychecks, pay stubs, and employer notices will be available in the Department of Human Resources at 10:00 on Thursday morning of the check date. The Nursing Home will be able to pick up employee checks on Wednesday afternoon. Any other department needing checks early must make this request to the Senior Payroll Clerk and receive prior approval.

SECTION 5. DIRECT-DEPOSIT AND EMAIL NOTIFICATION OPTIONS:

Forms for initiating direct deposit are available at the Human Resources Department at any time. Employees must have an active bank or credit union account to receive pay by direct deposit.

Any employee who receives pay by direct deposit may elect to receive his/her payroll notification at a home or work email address. Option forms to initiate this notification are available at the Human Resources Department.

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

RESOLUTION NO. 338-14: AUTHORIZATION FOR THE COUNTY CLERK AND COUNTY ATTORNEY TO INITIATE A PROCESS TO RETURN COUNTY PORTION OF ERRONEOUSLY COLLECTED MORTGAGE TAX TO MORTGAGEES

Mrs. Crane presented the following:

WHEREAS, the Wayne County portion of the Mortgage Recording Tax is .25 percent of a mortgage; and

WHEREAS, Authority to collect the Wayne County portion must be renewed every three years; and

WHEREAS, the New York State Department of Taxation and Finance has on prior occasions sent a reminder that the Wayne County portion of the Mortgage Tax was about to expire; and

WHEREAS, said notice has been provided to the County in the past sufficiently in advance for the County to enact the necessary Local Law to continue the tax seamlessly; and

WHEREAS, the notice received regarding the impending expiration of the Local Law was received on March 26, 2014 and not in time to enact a seamless renewal of the tax; and

WHEREAS, a representative of the New York State Department of Taxation and Finance has informed the County Attorney that the individual who sent notices in the past has retired and that Taxation and Finance will no longer notify Counties in advance; and

WHEREAS, Authority to collect the Wayne County portion of the Mortgage Recording Tax expired on April 24, 2014; and

WHEREAS, Wayne County renewed the Mortgage Tax by Local Law with an effective date of June 1, 2014; and

WHEREAS, authority to collect the County portion of the tax does not exist for the period April 25, 2014 through May 31, 2014; and

WHEREAS, the County Clerk and the County Attorney have determined that the best course of action is to track the collections during that period and return the County portion of the Mortgage Tax to the mortgagee; and

WHEREAS, the County Attorney and the County Clerk have set into place a system to

ensure that timely renewal of the Local Law is in place for future three-year periods; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors concurs with the process described herein to return the County portion of the Mortgage Recording Tax collected during the period April 25 through May 31, 2014 and hereby authorizes the payment of same to the respective Mortgagees.

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

RESOLUTION NO. 339-14: AUTHORIZING AGREEMENT FOR DIALYSIS SERVICES FOR THE WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

WHEREAS, that the Wayne County Nursing Home contracted with FMC Eastview Dialysis for the purpose of providing hemodialysis services to Nursing Home residents with End Stage Renal Disease; and

WHEREAS, that FMC Eastview Dialysis is a subsidiary of New York Dialysis Services, Inc. with clinics operating in other locations including a new one in Newark, NY and doing business as FMC-Newark Dialysis; and

WHEREAS, that the FMC-Newark Dialysis location will be much more convenient for Wayne County Nursing Home residents who need hemodialysis services for End Stage Renal Disease; and

WHEREAS, that the Nursing Home is desirous in entering into a new contract with New York Dialysis Services, Inc. for the purpose of providing hemodialysis services for Nursing Home residents at the FMC-Newark Dialysis location; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisor's is authorized and directed to execute an agreement with New York Dialysis Services, Inc., d/b/a FMC-Newark Dialysis on behalf of the Wayne County Nursing Home subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 340-14: AUTHORIZATION TO ENTER INTO A CONTRACT WITH ILS COMMUNITY NETWORK IPA, LLC FOR THE WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

WHEREAS, the State of New York is transitioning Medicaid recipients into a designated New York Medicaid Managed Long Term Care Plan; and

WHEREAS, that currently there are a few plans that are enrolling members locally; and
WHEREAS, to provide services to the members of the Medicaid Managed Long Term Care Plans a contract must be in place; and

WHEREAS, Wayne County Nursing Home desires to enter into contract with the Medicaid Managed Long Term Care Plan ILS Community Network IPA, LLC for the provision of long term care and outpatient services; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home enter into contract with ILS Community Network IPA, LLC for the provision of long term care and outpatient services; and be it further

RESOLVED, that the Nursing Home Administrator and Comptroller are to negotiate the rates that Wayne County Nursing Home will be reimbursed for services that will not be less than the Medicaid rate; and be it further

RESOLVED, that the Chairman of the Board is hereby authorized to execute the contract with ILS Community Network IPA, LLC on behalf of the Wayne County Nursing Home, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 341-14: AUTHORIZATION TO BID ON PURCHASE AND INSTALLATION OF EQUIPMENT AT THE WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

WHEREAS, the Wayne County Nursing Home gas steamer used in the preparation of meals is currently not functioning; and

WHEREAS, the Nursing Home is recommending the replacement of the steamer instead of repairing it; and

WHEREAS, that the 2014 equipment addendum includes \$10,000 for a reach-in freezer, \$11,000 for a planetary mixer, and \$18,000 for a gas steamer; and

WHEREAS, that it is estimated that the cost to purchase and installation of new equipment and removal old steamer might be over \$20,000.00; and

WHEREAS, the Wayne County Nursing Home requests authorization to prepare a bid for the purchase and installation of a gas steamer, reach-in freezer and planetary mixer; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home Administrator is hereby authorized and directed to prepare specifications to bid for the purchase and installation of the steamer, reach-in freezer and planetary mixer, and removal of old steamer, freezer and planetary mixer 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. Colacino. Upon roll call, adopted.

RESOLUTION NO. 342-14: ACCEPTING BIDS FOR PURCHASE AND INSTALLATION OF CEILING LIFTS AND SCALES FOR THE WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

WHEREAS, pursuant to Resolution No. 099-14, the Board of Supervisors authorized the advertisement for the purchase and installation of (6) ceiling lifts and (6) ceiling scales for the Wayne County Nursing Home; and

WHEREAS, the Clerk of the Board of Supervisors duly advertised the bid for the ceiling lifts and the bids were opened on Wednesday, April 23, 2014 at 2:00 p.m.; and the following bid was received and publicly opened:

TOTALS

- | | |
|----------------------------------|--------------|
| 1. Ergosafe Products, LLC, | \$ 38,254.50 |
| d/b/a Prism Medical Services USA | |

now, therefore, be it

RESOLVED, that the bid submitted by Ergosafe Products, LLC, d/b/a Prism Medical for the total bid price of \$38,254.50 for the purchase and installation of (6) ceiling lifts and (6) scales in accordance with the specifications is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the Wayne County Nursing Home, subject to the County Attorney's approval as to form and content with Ergosafe Products, LLC, d/b/a Prism Medical in accordance with the bid acceptance.

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

RESOLUTION NO. 343-14: AUTHORIZATION TO PURCHASE EQUIPMENT FOR THE WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

WHEREAS, Wayne County Nursing Home contracts out for lawn care services; and

WHEREAS, it has been determined that it would be more cost effective to purchase a lawn mower; and

WHEREAS, that the 2014 equipment addendum includes \$10,000 for the lawn mower and four (4) quotes were received; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home is hereby authorized to purchase

one (1) John Deere Z915B as Mid-Z zero turn commercial mower from Lakeland Equipment at a cost not to exceed \$6510.46.

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

RESOLUTION NO. 344-14: AUTHORIZATION TO CONTRACT WITH THE DEMOCRAT & CHRONICLE FOR ONLINE ADVERTISEMENT

Mr. Groat presented the following:

WHEREAS, it has been determined that the Nursing Home would benefit from online advertisement to increase revenues; and

WHEREAS, the Nursing Home is desirous to contract with the Democrat & Chronicle for the provisions of online advertisement services, at a fee of \$200 per month for a maximum of twelve (12) months contingent on a positive six (6) month review by the Nursing Home; and

RESOLVED, that the Administrator of the Wayne County Nursing Home be authorized and directed to execute an agreement with the Democrat & Chronicle for the provisions of online advertisement at a fee of \$200 a month for a maximum of twelve (12) months from June 1, 2014 to May 31, 2015, contingent upon a positive 6 month review, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 345-14: AUTHORIZATION TO BID FOR BATHING TUBS FOR THE WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

WHEREAS, two bathing tubs are broken and must be replaced; and

WHEREAS, two (2) Bathing Tubs were authorized in the 2014 budget; and

WHEREAS, the Wayne County Nursing Home requests authorization to prepare a bid for the purchase of two (2) Bathing Tubs; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home Administrator is hereby authorized and directed to prepare specifications for bid of two (2) Bathing Tubs 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 Mrs. Marini Upon roll call, adopted.

RESOLUTION NO. 346-14: AUTHORIZATION TO CONTRACT FOR DIALYSIS SERVICES WITH ENCHANTED DIALYSIS, LLC FOR THE WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

WHEREAS, the Wayne County Nursing Home has residents with End Stage Renal Disease who require timeliness of dialysis treatment; and

WHEREAS, the Nursing Home desires to contract with Enchanted Dialysis, d/b/a Newark Wayne Dialysis for the purpose of providing dialysis treatment to those residents with End Stage Renal Disease; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisor's be authorized and directed to execute the agreement with Enchanted Dialysis, d/b/a Newark Wayne Dialysis on behalf of the Wayne County Nursing Home effective June 1, 2014 and to renew automatically for successive one (1) year terms unless terminated earlier by either party. Agreement is subject to the County Attorney's approval as to form and content

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

RESOLUTION NO. 347-14: AUTHORIZATION TO REPAY MEDICAID FUNDS TO

COMPUTER SCIENCES CORPORATION FOR THE EARLY INTERVENTION PROGRAM

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) received notice from an Early Intervention (EI) provider that they received \$12,368.00 from the County for services performed by an unlicensed professional and as per the Education Law this service required a licensed professional; and

WHEREAS, the EI provider repaid the County \$12,368.00 by having future payments withheld; and

WHEREAS, the County billed and was paid by Medicaid \$7,143.00 for this service; and

WHEREAS, this payment was received from Medicaid prior to the NYSDOH began performing fiscal agent duties; and

WHEREAS, WCPH is obligated to repay Computer Sciences Corporation the \$7,143.00 as per the Wayne County Corporate Compliance Plan; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to transfer \$7,143.00 from the Unappropriated Fund Balance; and be it further

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

A4016 Early Intervention

(Appropriations)

\$ 7,143.00 to 54645 PHCE 0-3 Tuition

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

RESOLUTION NO. 348-14: AUTHORIZATION TO CONTRACT WITH A RELATED SERVICE PROVIDER FOR THE PHYSICALLY HANDICAPPED CHILDREN'S PROGRAM

Mr. Groat presented the following:

WHEREAS, the County must contract for the provision of related services for preschool age children with handicapping conditions pursuant to Section 4410 Education Law; and

WHEREAS, Wayne County Public Health (WCPH) desires to contract with Susan Mary Cochrane to provide Speech Therapy / Fluency services as she is Board Certified in Fluency Disorders; and

WHEREAS, the following services and rates would be charged:

- Speech Therapy / Fluency Disorders at \$58.00 per half hour
- Group Setting at \$35.00 per half hour
- Coordination of Services at \$20.00 per half hour

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to contract with Susan Mary Cochrane of 8619 North Shore Drive, Honeoye, NY 14471, to provide Speech Therapy/Fluency Disorders at \$58.00 per half hour, Group Setting at \$35.00 per half hour, and Coordination of Services at \$20.00 per half hour, for the period of May 1, 2014 to June 30, 2015, subject to the approval of the County Attorney as to form and content and pending criminal history check and OCFS clearance.

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

RESOLUTION NO. 349-14: AUTHORIZATION TO SIGN CONTRACT WITH HEALTH RESEARCH, INC. FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS PROGRAM

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently contracts with Health Research, Inc. (HRI) to perform Public Health Emergency Preparedness activities; and

WHEREAS, WCPH wishes to renew its contract with HRI for year three of a five year contract, beginning July 1, 2014 to June 30, 2015 for an amount not to exceed \$84,661; now, therefore, be it

RESOLVED, that the Director of Public Health is authorized to submit a Public Health

Emergency Preparedness budget for the year of July 1, 2014 to June 30, 2015; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract for the Public Health Emergency Preparedness program with Health Research, Inc. for the period of July 1, 2014 to June 30, 2015, for an amount not to exceed \$84,661, 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. 350-14: AUTHORIZATION TO DECLARE EQUIPMENT AS SURPLUS AND FOR DISPOSAL FOR WAYNE COUNTY PUBLIC HEALTH

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) has identified the following equipment as surplus and for disposal:

Surplus

- Magnavox VHS rewinder, SN# 20100620

Disposal

- Dell model PP01L, Latitude C640 Laptop, Serv. Tag: 9SSKD21
- HP Color Laser Jet 3700 DTN printer, SN# CNFBB20131

now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to declare one (1) Magnavox VHS rewinder, in good working condition, as surplus. Also to declare one (1) Dell laptop computer and one (1) HP Color Laser Jet printer, in poor working condition, to be disposed of, as per the Wayne County Surplus Equipment Disposition policy.

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

RESOLUTION NO. 351-14: AUTHORIZE AGREEMENT WITH CENTER FOR DISABILITY RIGHTS FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Manktelow presented the following:

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

WHEREAS, the Center for Disability Rights provides the oversight of this service in the Wayne County area; now, therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to sign an Agreement with the Center for Disability Rights, Inc. subject to the approval of the County Attorney, for provision of the Consumer Directed Personal Assistance Program (CDPAP) for the timeframe 1/1/14-12/31/14.

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

RESOLUTION NO. 352-14: AUTHORIZE CONTRACT WITH WAYNE COUNTY ACTION PROGRAM FOR TRANSPORTATION SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Manktelow presented the following:

WHEREAS, Wayne County desires to provide transportation services for individuals to seek and maintain employment; and

WHEREAS, Wayne County Department of Social Services desires to do this in the most cost-effective manner possible; and

WHEREAS, Wayne County Action Program has secured a grant to provide after hours and weekend transportation to TANF eligible individuals which requires a 20% match; and

WHEREAS, this service is significantly more cost-effective than the present system; 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 review by the County Attorney, with the Wayne

County Action Program, Inc. for the provision of transportation services for the timeframe 1/1/14-12/31/14 at a cost not to exceed \$5,150 as the County's matching share.

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

RESOLUTION NO. 353-14: AUTHORIZE CONTRACT WITH WAYNE COUNTY ACTION PROGRAM, INC. FOR RESPITE SERVICES

Mr. Manktelow presented the following:

WHEREAS, New York State PINS legislation mandates each county to provide respite services as an alternative to non-secure detention; and

WHEREAS, the cost of non-secure detention is significantly higher than the cost of respite services; and

WHEREAS, the Wayne County Action Program, Inc. has provided respite services to the PINS/Preventive program in Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract, subject to review by the County Attorney, with the Wayne County Action Program, Inc. for the provision of respite services for the timeframe 1/1/14-12/31/14 at a per diem rate of up to \$75.00.

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

RESOLUTION NO. 354-14: AUTHORIZE CONTRACT WITH LEGAL ASSISTANCE OF WESTERN NEW YORK, INC. FOR LEGAL ADVOCACY SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Manktelow presented the following:

WHEREAS, there is a need for legal services for employment-related issues and education issues; and

WHEREAS, these services are expected to increase employment and secure needed educational services to allow youth to stay in the community; and

WHEREAS, Legal Assistance of the Finger Lakes has experience and expertise in these areas; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract on behalf of the Wayne County Department of Social Services, subject to the County Attorney's review as to form and content, with Legal Assistance of Western New York, Inc. for the provision of Legal Advocacy Services during the 1/1/14 – 12/31/14 timeframe at a cost not to exceed \$40,000.

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

RESOLUTION NO. 355-14: AUTHORIZE THE REMOVAL AND REAPPOINTMENT OF YOUTH BOARD MEMBERS

Mr. Manktelow presented the following:

WHEREAS, Valerie VanDongen, representing Newark, requests to be removed as a member of the Wayne County Youth Board due to changes in circumstances; and

WHEREAS, Susan VanAcker, Town of Huron; term as a member of the Wayne County Youth Board is completed and she has agreed to be reappointed to another three year term, now therefore be it

RESOLVED, the Board of Supervisors hereby reappoints Susan VanAcker to the Wayne County Youth Board for a term of three years and removes Valerie VanDongan from the Youth Board.

Susan VanAcker
6100 Shaker Road

North Rose, NY 14516

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

RESOLUTION NO. 356-14: AUTHORIZATION TO PURCHASE NUTRITION ANALYSIS SOFTWARE UPGRADE FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Manktelow presented the following:

WHEREAS, the Department of Aging and Youth contracts with ARC Key Industry to provide the bulk meal preparation for the Department's six congregate meal sites and home delivered meals. The NYS Office of Aging requires the meals to meet 1/3 of the RDA compliance standards, and

WHEREAS, the Department of Aging and Youth contracts with Registered Dietitian to create the menus that meet the nutrition standards for Key Industries meal preparation, and

WHEREAS, the Dietitian utilizes nutritional analysis software, Food Processor SQL to ensure compliance standards are met, and

WHEREAS, the Food Processor SQL software needs to be updated to meet 2014 standards, therefore be it,

RESOLVED, the Department of Aging and Youth is requesting authorization to purchase the 2014/15 Food Processor SQL nutritional analysis software upgrade at a total cost of \$350.00 from ESHA Research, Inc. and further be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following modifications to the Contractual appropriation lines to reflect the changes in the 2014 Area Agency on Aging budget.

A6772-Aging Budget

(appropriations)

\$350.00 FROM .54456 Printing

\$350.00 TO .54475 Software

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

RESOLUTION NO. 357-14: AUTHORIZATION TO ACCEPT BULLIS FOUNDATION GRANT FUNDING FOR THE FAMILIES AND COMMUNITIES TOGETHER (FACT) PROGRAM

Mr. Manktelow presented the following:

WHEREAS, Families and Communities Together (FACT) is an interagency initiative designed to assist families of children who are having difficulty in their home, school, or community due to emotional and/or behavioral challenges. FACT serves children in grades K through 12 in eight school districts throughout Wayne County. The primary goal of FACT is to prevent out of home placements; and

WHEREAS, revenue for the FACT program is derived from the participating schools, Office of Mental Health, NY State OCFS grants, public grants and private foundation funding; and

WHEREAS, the Department was recently notified that the Bullis Foundation has awarded the Department of Aging and Youth \$50,000 for the provision of FACT services; and

WHEREAS, the funding has already been included in the 2014 County budget; now, therefore, be it

RESOLVED, the Department of Aging and Youth is requesting authorization from the Board of Supervisors to sign a grant agreement with the Bullis Foundation for FACT funding in the amount of \$50,000.

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

OTHER BUSINESS

Mr. Miller moved, seconded by Mr. Manktelow that two (2) resolutions be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Absent, Supervisor

LeRoy. Motion Carried.

RESOLUTION NO. 358-14: DIRECTING WAYNE COUNTY TREASURER TO REINSTATE FORECLOSURE PROCEEDINGS ON CERTAIN PARCELS

Ms. Park presented the following:

WHEREAS, the Wayne County Treasurer is the enforcing officer for delinquent property taxes in Wayne County; and

WHEREAS, the County Treasurer has reviewed the list of parcels to be foreclosed upon with the Real Property Tax Director, the County Attorney, and the Assistant Superintendent of Public Works; and

WHEREAS, pursuant to New York Real Property Tax Law 1138 1(d) the County Treasurer has withdrawn certain parcels from the foreclosure proceeding on the basis that if the tax district were to acquire the parcel, there is significant risk that it might be exposed to a liability substantially in excess of the amount that could be recovered by enforcing the tax lien; and

WHEREAS, the Wayne County Board of Supervisors has reviewed the list of properties that have been withdrawn; and

WHEREAS, the Board of Supervisors does not agree that certain parcels should be withdrawn from the proceeding; now therefore be it

RESOLVED, that the Wayne County Board of Supervisors makes the following determination: there would be no significant risk that the parcels might expose the County to liability substantially in excess of the amount that could be recovered by enforcing the tax lien; and be it further

RESOLVED, that pursuant to section 1138 (4) (a) (ii) of the New York Real Property Tax Law, the Wayne County Board of Supervisors hereby directs the Wayne County Treasurer to reinstate foreclosure proceedings on the following parcels previously withdrawn from the foreclosure proceeding by the County Treasurer:

Seq 0670	Swart, Donna E	71111-13-178487
Seq 1034	McDonald, Kenneth G	65111-00-547529

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

RESOLUTION NO. 359-14: SETTING SALARY FOR VACANT ASSISTANT NURSING HOME ADMINISTRATOR

Mr. Groat presented the following:

WHEREAS, the Assistant Nursing Home Administrator position became vacant on May 19, 2014; and

WHEREAS, the County Administrator anticipates authorizing the position to be refilled; and

WHEREAS, the Board of Supervisors needs to set salary for the position prior to it being advertised; now therefore, be it

RESOLVED, that the vacant Assistant Nursing Home Administrator position is authorized to be filled at a salary of up to \$67,657 effective May 23, 2014.

Mrs. Marini moved the adoption of the resolution. Seconded by Mrs. Crane.

There were questions regarding if this position was recently filled then vacated; and if this proposed salary is consistent with the pay study plan that was adopted last month. Mr. Marquette responded by saying the salary administration program is not in place yet, as we are still within the 45-day permissive referendum waiting period before it is filed with the State. Secondly, he confirmed that the proposed salary is consistency with the previous salary; and within the mid-point range that was projected in the payment study.

Upon roll call, adopted.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, June 17, 2014 at 7:00 p.m. at the Public Safety Building. Please Note: This will be an evening session.

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