

7<sup>th</sup> Day  
Tuesday, June 18, 2019  
9:00 a.m.

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

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

Upon roll call, all Supervisors were recorded as present, except Supervisor Robusto. County Administrator Richard House and County Attorney Daniel Connors were also present for this morning meeting of the Full Board.

**APPROVAL OF MINUTES:**

Mrs. Jacobs 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 below:

The County Treasurer filed Certificates of Withdrawal of Foreclosure pursuant to Section 1138 of the Real Property Tax Law in the Clerk of the Board's Office for the following property:

- Town of Sodus for Bruegger Deborah TM# 68177-05-004962  
Significant Liability Risk to Tax District
- Town of Sodus for Bruegger Deborah TM# 68117-00-994966  
Significant Liability Risk to Tax District
- Town of Williamson for Shields Nina M TM# 65117-12-935514  
Significant Liability Risk to Tax District
- Town of Galen for 1983 Finance CO LC TM# 74112-14-432343  
Significant Liability Risk to Tax District
- Town of Palmyra for Kern Karl C TM# 66112-12-802524  
Legal Impediment to the enforcement of the Tax Lien
- Town of Arcadia for Smith Scott and Yolanda TM# 69112-00-113642  
Legal Impediment to the enforcement of the Tax Lien

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments including the May 2019 warrants for accounts payable, totaling \$3,789,776.64 was received and filed.

Mr. Miller, seconded by Mr. Verkey. Motion carried.

**PROCLAMATIONS**

Supervisor Verno read the proclamation for M. Josh McCrossen, Commissioner – Wayne County Department of Social Services in honor of over 19 years of dedicated service to the citizens of Wayne County.

Supervisor Crane read the proclamation that was presented to the Trey Lockhart, Director – Wayne County Pre-Trial Agency for his 20 years of dedicated service to Wayne County.

The Board congratulated both gentlemen for their many years of public service in making Wayne County a better place, wishing them a happy and healthy retirement.

**PRIVILEGE OF THE FLOOR:**

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

There was no public comment for agenda items this morning.

**PUBLIC HEARING**

Prior to the opening of the public hearing scheduled for this morning, Chairman LeRoy read the rules and procedures that are followed for conducting such hearings for the Board.

The Clerk read the introduction of the Notice of Public Hearing at 9:14 a.m., regarding a CDBG Grant application submission for potential CDBG-funded projects for consideration by the County, including Housing, Economic Development and Infrastructure, as follows:

**LEGAL NOTICE  
Notice of Public Hearing  
Community Development Block Grant**

Wayne County will hold a public hearing on **Tuesday, June 18th, 2019 at 9:10 am** at 26 Church St Lyons, NY 14489 for the purpose of hearing public comments on potential applications for Community Development Block Grant funding. Applicants are required under 24 CFR570.486 and NYS's Citizen Participation Plan to schedule and conduct a public hearing prior to the submission of applications to give the public the opportunity to suggest projects for municipalities to consider. The CDBG program is administered by the New York State Office of Community Renewal (OCR), and provides resources to eligible local governments for housing, economic development, public facilities, public infrastructure, and planning activities, with the principal purpose of benefitting low/moderate income persons. The hearing is being conducted pursuant to Section 570.486, Subpart I of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended.

The Historic Courthouse is accessible to persons with disabilities. If special accommodations are needed for persons with disabilities, those with hearing impairments, or those in need of translation from English, those individuals who wish to attend should call Sandra Sloane at 315-946-5403 at least one week in advance of the hearing date to allow for necessary. Written comments may also be submitted to Sandra Sloane, Clerk, 26 Church St. Lyons NY 14489 by June 20th, 2019.

The Chairman opened the floor for public comment on the proposed CDBG Grant application at 9:15 a.m., for the opportunity for citizens to express their views on the subject.

After allowing time for an opportunity for comments on the proposed CDBG Grant application, Chairman LeRoy requested a motion to close the hearing.

At 9:16 a.m., Mr. Verkey moved, seconded by Mr. Chatfield, that the hearing be closed. Upon roll call, carried.

**SCHEDULED BUSINESS**

**RESOLUTION NO. 326-19: AUTHORIZATION TO SIGN AMENDED AGREEMENT WITH CHILD CARING INSTITUTION – HILLSIDE CHILDREN'S CENTER FOR THE DEPARTMENTS OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, Resolution No. 637-18 authorized an Agreement with the Child Caring Institution – Hillside Children's Center for the period of 7/1/18-6/30/21; and

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

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

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

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

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

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

**RESOLUTION NO. 327-19: AUTHORIZATION TO ACCEPT AN ALLOCATION OF SNAP BONUS FUNDS FROM NYS OTDA TO BE USED TO IMPROVE SNAP-RELATED CUSTOMER SERVICE AND ENHANCE OUR ABILITY TO PREVENT SNAP-RELATED ABUSE AND FRAUD FOR THE DEPARTMENTS OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, the United States Department of Agriculture, Food and Nutrition Service (USDA-FNS) has awarded Supplemental Nutrition Assistance Program (SNAP) High Performance Bonus Funds to New York State Office of Temporary and Disability Assistance (NYS OTDA) for Best Payment Accuracy and Most Improved Payment Accuracy during federal fiscal year 2015; and

WHEREAS, the Wayne County Department of Social Services (WCDSS) has been notified by NYS OTDA, per 18-LCM-09, that WCDSS has been awarded an amount of \$28,571 from the above mentioned Bonus Funds; and

WHEREAS, a matching amount of \$28,571 is available in Federal matching monies, resulting in a total of \$57,142 to be spent; and

WHEREAS, WCDSS was required to submit a plan to NYS OTDA demonstrating that the funds would be put to appropriate use; and

WHEREAS, such plan has been submitted and approved; and

WHEREAS, there is no local match required to access the \$28,571 of SNAP Bonus Funds and the \$28,571 in matching funds; now, therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to accept the OTDA funding to be spent no later than 9/30/19 in the amount of \$57,142 to be used to improve SNAP related customer service and enhance our ability to prevent SNAP related abuse and fraud as outlined in the WCDSS plan as approved by NYS-OTDA; and be it further

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

A6010 Department of Social Services

(Revenue)

\$28,571 to 43610 Social Services Administration State

\$28,571 to 44610 Social Services Administration Federal

(Expenses)

\$57,142 to 54500 Fees for Services Non-employed

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

**RESOLUTION NO. 328-19: AUTHORIZATION TO SIGN AGREEMENT WITH SNELL FARM CHILDREN'S CENTER FOR THE DEPARTMENTS OF SOCIAL SERVICES**

Mr. Verno presented the following:

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

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

Services (NYS OCFS); and

WHEREAS, the NYS OCFS notified the Wayne County Department of Social Services that the Agreements need to reflect Raise the Age legislation and Federal Family First Prevention Services Act; and

WHEREAS, NYS OCFS has directed that this agreement language be used for the above agreement; now, therefore be it

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

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

**RESOLUTION NO. 329-19: AUTHORIZATION TO RENEW A CONTRACT FOR SERVICES TO THE WORKING IMPAIRED FOR THE DEPARTMENTS OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, an increasing number of Public Assistance (PA) recipients have one or more working impairments; and

WHEREAS, the Wayne County Department of Social Services (WCDSS) needs to meet Federal Participation Rates or be subject to possible fiscal penalties; and

WHEREAS, per Resolution 294-18, the County of Wayne entered into a contract with Wayne ARC for the Provision of Intensive Case Management Services to the Working Impaired for a one (1) year period of 7/1/18-6/30/19 with a possible one (1) year renewal at \$75,247 for the contract period of 7/1/19-6/30/20; and

WHEREAS, the services provided by the Wayne ARC have been satisfactory; and

WHEREAS, WCDSS is now desirous of renewing the contract with Wayne ARC for Intensive Case Management Services to the Working Impaired for the contract term of 7/1/19-6/30/20 at the agreed upon amount of \$75,247; therefore be it

RESOLVED, that the Chairman of the Board is hereby authorized to renew the contract on behalf of the County of Wayne with Wayne ARC for the provision of Intensive Case Management Services for the Working Impaired for a one (1) year contract period of 7/1/19-6/30/20 at an amount not to exceed \$75,247.

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

**RESOLUTION NO. 330-19: AUTHORIZATION TO RENEW A CONTRACT FOR CHILD-ONLY SERVICES FOR THE DEPARTMENTS OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, it is a high priority of the Wayne County Department of Social Services (WCDSS) to break the cycle of poverty and dependence on government cash subsidies; and

WHEREAS, per Resolution 295-18, the County of Wayne entered into a contract with Wayne ARC for the Provision of Child-Only Services for the one (1) year period of 7/1/18-6/30/19 with a possible one (1) year renewal at \$76,710 for the contract period of 7/1/19-6/30/20; and

WHEREAS, the services provided by the Wayne ARC have been satisfactory; and

WHEREAS, WCDSS is now desirous of renewing the contract with Wayne ARC for Child-Only Services for the contract term of 7/1/19-6/30/20 for an amount of \$76,710; now, therefore be it

RESOLVED, that the Chairman of the Board is hereby authorized to renew the contract on behalf of the County of Wayne with Wayne ARC for the provision of Child-Only Services for a one (1) year contract period of 7/1/19-6/30/20 at an amount not to exceed \$76,710.

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

**RESOLUTION NO. 331-19: AUTHORIZATION TO SUBMIT 2019 OFFICE OF CHILDREN AND FAMILY SERVICES RESOURCE ALLOCATION PLAN FOR THE DEPARTMENT OF AGING AND YOUTH**

Mr. Verno presented the following:

WHEREAS, the Department of Aging and Youth receives funding from NY State Office of Children and Family Services to support the Youth Bureau and various youth service programs in Wayne County; and

WHEREAS, NY State Office of Children and Family Services requires the Chairman of the Board of Supervisors to sign the OCFS Resource Allocation Plan in order to receive the funding; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the OCFS Resource Allocation Plan for the year 2019.

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

**RESOLUTION NO. 332-19: AUTHORIZATION FOR THE DIRECTOR OF THE DEPARTMENT OF AGING AND YOUTH TO SIGN 2019 OFFICE OF FAMILY AND CHILDREN SERVICES (OCFS) BUDGET AMENDMENTS**

Mr. Verno presented the following:

WHEREAS, the NY State Office of Family and Children Services Resource Allocation Plan stipulates that the Chief Executive may authorize the Youth Bureau Director to sign OCFS Youth Bureau budget amendments; and

WHEREAS, this authorization must be given in writing and filed annually with the State OCFS Regional Office; and

WHEREAS, the Board of Supervisors will still approve all County budget modifications by the current procedure; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors authorizes the Director of the Department of Aging and Youth, Penny Shockley, to sign the OCFS budget amendments for the 2019 program year.

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

**RESOLUTION NO. 333-19: AUTHORIZATION FOR THE CHAIRMAN OF THE BOARD TO SIGN WORKFORCE INNOVATION OPPORTUNITY ACT (WIOA) YOUTH SERVICES CONTRACT FOR THE PERIOD OF JULY 1, 2019 TO JUNE 30, 2020**

Mr. Verno presented the following:

WHEREAS, the new WIOA contracts are required for the calendar year July 1, 2019 to June 30, 2020; and

WHEREAS, the budget and contracts were approved by the Finger Lakes Workforce Investment Board at their May 2019 meeting with Executive signatures required in June 2019; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized, upon review and approval of the County Attorney's Office, to enter into the following contract:

Youth \$103,730

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

**RESOLUTION NO. 334-19: AUTHORIZATION FOR THE CHAIRMAN OF THE BOARD TO SIGN WORKFORCE INNOVATION OPPORTUNITY ACT (WIOA) ADMINISTRATIVE, ADULT, AND DISLOCATED WORKER AND CAREER CENTER SERVICES CONTRACT FOR THE PERIOD OF JULY 1, 2019 TO JUNE 30, 2020**

Mr. Verno presented the following:

WHEREAS, new WIOA contracts are required for the calendar year July 1, 2019 to June 30, 2020; and

WHEREAS, the budget and contracts were approved by the Finger Lakes Workforce Investment Board at their May 2019 meeting with Executive signatures required in June 2019; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized, upon review and approval of the County Attorney's Office, to enter into the following contract:

Administration	\$ 3,367.00
Adult	\$61,022.00
Dislocated Worker	\$61,087.00

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

**RESOLUTION NO. 335-19: AUTHORIZE CONTRACT FOR CHILD ABUSE REDUCTION THROUGH FAMILY VIOLENCE PARENT EDUCATION (PACT) SERVICES WITH WAYNE CAP FOR THE DEPARTMENTS OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) seeks to reduce the incidence of child abuse and neglect in Wayne County families; and

WHEREAS, services for families experiencing violence issues are an important component in reducing child abuse and neglect; and

WHEREAS, the Department of Social Services was authorized to prepare Request for Quotes (RFQ) documents and notify possible service providers of Family Violence Parent Education services; and

WHEREAS, the following providers were notified and/or met with:

- Catholic Charities of Wayne County
- Wayne ARC
- Wayne CAP

WHEREAS, only Wayne CAP submitted a response to the RFQ:

Wayne CAP	\$19,750
159 Montezuma St.	
Lyons, NY 14489	

WHEREAS, this quote is an acceptable response to the Request for Quotes (RFQ); now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors, Steven M. LeRoy, is hereby authorized to enter into a contract with Wayne CAP, subject to the review of the County Attorney as to form and content, for Family Violence Parent Education services for the timeframe 7/1/19-6/30/20 in an amount not to exceed \$19,750, with the ability of both parties to extend this contract for up to two (2) additional years upon mutual agreement.

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

**RESOLUTION NO. 336-19: PUBLIC HEALTH RESOLUTION TO ENSURE HERD IMMUNITY BY ELIMINATING NON-MEDICAL EXEMPTIONS FOR VACCINATIONS**

Mr. Baldrige presented the following:

WHEREAS, the State of New York and Legislative body is considering Assembly Bill 2371/Senate Bill 2994 which would clarify that the only permissible exemption from New York's vaccination requirements is for patient medical conditions that would place patients who are immunized at risk for adverse outcomes; and

WHEREAS, the County of Wayne is in support of raising immunization rates due to the protection vaccines provide to infants, children, adolescents, and adults from preventable disease; and

WHEREAS, the New York State Association of County Health Officials (NYSACHO) and other reputable, health-conscious organizations maintain strong support for limiting exemptions to only those being medically necessary; and

WHEREAS, vaccines are one of the most successful and cost-effective public health

interventions, have saved countless lives and are responsible for preventing more than 2.5 million deaths each year; and

WHEREAS, universal immunization or herd immunity is an essential component of disease control throughout the world and protects those individuals who for medical reasons are unable to get vaccinated; and

WHEREAS, local health departments within county governments are New York State's partners and operational extensions, working in the forefront of communities, addressing public health issues and serving as the first line of defense against all public health crises including disease outbreak; and

WHEREAS, investigating and controlling vaccine preventable diseases like measles uses significant public health resources so public health staff and efforts cannot be devoted to other public health priorities and costs a great deal of money which taxpayers will ultimately have to bear the burden; and

WHEREAS, as of May 16, 2019, there are 277 confirmed cases of measles in New York State outside of New York City; and the New York City Department of Health and mental Hygiene has confirmed that 498 people have been infected with measles; and

WHEREAS, anyone can become infected with measles, but the virus is more severe in infants, pregnant women, and people whose immune systems are weak; and

WHEREAS, according to the CDC, complications of measles include diarrhea, ear infections, pneumonia, encephalitis, premature birth or low-birth-weight in pregnancy and death; and

WHEREAS, as a society, we routinely weigh the ethical balance between protecting individual rights against protecting our communities at large; and

WHEREAS, societal norms, statute and case law continually uphold that the weight of this choice must lean towards protecting the community as a whole when personal choice puts the lives of others at risk; now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby supports eliminating non-medical exemptions for vaccinations in New York State, a step which will ensure that all New Yorkers are protected from this disease and many other vaccine preventable diseases.

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

Prior to voting, Mr. Baldrige noted that this resolution will have no effect, essentially mute by act of recent state legislation.

Supervisor Crane requested a long roll call for the record.

Upon roll call, all Supervisors voted Aye, except Supervisors Crane, Pagano, Baldrige, Kolczynski and Chatfield who voted Nay. Absent – Supervisor Robusto. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 337-19: AUTHORIZING AGREEMENT BETWEEN ST. JOHN FISHER COLLEGE AND WAYNE COUNTY NURSING HOME FOR NURSING EDUCATIONAL PROGRAM**

Mr. Baldrige presented the following:

WHEREAS, St. John Fisher College (c/o Wegmans School of Nursing) has established an educational program in nursing; and

WHEREAS, Wayne County Nursing Home and St. John Fisher College have an interest in working collaboratively to provide said educational nursing training; and

WHEREAS, that the Nursing Home Administrator is desirous in entering into an agreement with St. John Fisher College effective from April 25, 2019 to May 31, 2022; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute an agreement on behalf of the Wayne County Nursing Home with St. John Fisher College from April 25, 2019 to May 31, 2022 for the purpose of educational nursing program at no cost to the nursing home, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 338-19: AUTHORIZATION TO PAY NURSEFINDERS' INVOICE FOR SERVICES PROVIDED TO THE WAYNE COUNTY NURSING HOME**

Mr. Baldrige presented the following:

WHEREAS, the Wayne County purchasing policy requires the County to have a contract in place with the provider of professional services before payments for those professional services are paid by the County; and

WHEREAS, the contract for 2019 with NurseFinders was not processed due to an unresolved issue; and

WHEREAS, NurseFinders provided licensed services at the Wayne County Nursing Home on January 17, 2019 due to staffing shortage; and

WHEREAS, NurseFinders is requesting payment for services rendered at a fee of \$263.25; and now, therefore, be it

RESOLVED, that the Administrator at Wayne County Nursing Home be authorized to pay for services provided by NurseFinders on January 17, 2019 at a fee of \$263.25.

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

**RESOLUTION NO. 339-19: AUTHORIZATION FOR WAYNE COUNTY NURSING HOME TO ENTER INTO A CONTRACT WITH VETERANS SERVICE ADMINISTRATION**

Mr. Baldrige presented the following:

WHEREAS, the Veterans Service Administration contracts with the County of Wayne Home for nursing home care services for beneficiaries of the Veterans Service Administration; and

WHEREAS, the current contract expires July 31, 2019; and

WHEREAS, the Wayne County Nursing Home Administrator is desirous in renewing said contract for the period of August 1, 2019 – July 31, 2020 at no cost to the nursing home; now therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute a Contract/Award for the Wayne County Nursing Home to provide nursing home services to beneficiaries of the Veterans Administration at a per diem fee to be negotiated by the Administrator for the period August 1, 2019 to July 31, 2020, subject to the approval of the County Attorney as to form and content.

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

**RESOLUTION NO. 340-19: AUTHORIZATION TO ENGAGE IN OUTSIDE COUNSEL FOR TAX FORECLOSURE ISSUES IN BANKRUPTCY COURT**

Mrs. Crane presented the following:

WHEREAS, Wayne County has identified a need for the assistance of outside legal counsel on matters involving tax foreclosure issues in Bankruptcy Court; and

WHEREAS, after meetings with the County Attorney and County Treasurer it was determined to be in the best interests of the County of Wayne to pursue outside legal services regarding said issues; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Wayne County Attorney to retain outside legal counsel for the above stated purposes and further authorizes the Chairman of the Board of Supervisors to sign any Retainer Agreements and all other legal documents which may be required, subject to the review of the County Attorney.

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



**RESOLUTION NO. 341-19: AUTHORIZATION TO CREATE ONE FULL-TIME EARLY INTERVENTION SERVICE COORDINATION POSITION AND AMEND THE 2019 BUDGET**

Mrs. Crane presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently receives funding from the NYSDOH for administering the Children with Special Health Care Needs (CSHCN) grant; and

WHEREAS the CSHCN program focuses on children birth to age 21 who have, or are suspected of having a serious or chronic healthcare condition by assisting families who need help accessing various health care professionals and other community resources through information, referral and advocacy; and

WHEREAS, the current Early Intervention Program Supervisor coordinates the CSHCN grant and due to extensive supervisory duties is unable to fulfill all of the grant expectations with efficiency; and

WHEREAS, WCPH Administration has identified that coordination of the CSHCN grant could be performed by an EISC with better efficiency; and

WHEREAS, WCPH's EIP will have a Part-time Early Intervention Service Coordinator (EISC) position vacant in mid-August 2019 and will refill this position at such time; and

WHEREAS, WCPH desires to increase the part-time EISC position to full-time on October 1, 2019 when the CSHCN grant starts a new grant year; and

~~WHEREAS, this position will be funded ~40% by the CSHCN grant and will only have a county cost of \$5,439.00 per year; now, therefore, be it~~

RESOLVED, that the Director of Public Health is hereby authorized to create (1) FTE Early Intervention Service Coordinator position, grade 20, for the Wayne County Early Intervention Program, to be filled on October 1, 2019 and abolish one (1) PTE EISC position; and be it further

~~RESOLVED, that the Wayne County Treasurer is authorized to amend the 2018 budget.~~

~~A1000 Contingent Fund General~~

~~(Appropriations)~~

~~\$1670.08 from 54000 Contractual Expenses~~

~~A4016 PH – Early Intervention~~

~~(Revenue)~~

~~\$ 3,125.00 to 43513 MA EISC Reimb~~

~~\$ 2,101.99 to 44635 MA Assistance Admin~~

~~\$ 742.50 to 43277 State Aid~~

~~\$4,854.00 to CSHCN Grant~~

~~(Appropriations)~~

~~\$8,909.81 to 51521 Salary~~

~~\$828.61 to 58100 Retirement~~

~~\$681.60 to 58200 FICA~~

~~\$38.50 to 58600 Disability~~

~~\$5.50 to 58901 EAP~~

~~\$2,029.80 to 58400 Hospitalization~~

Mr. Emmel moved the adoption of the resolution. Seconded by Mr. Verkey.

Mrs. Crane moved, seconded by Mr. Chatfield, that the Resolution be amended by deleting the last WHEREAS clause and completely replacing the RESOLVED clause, as follows:

**“RESOLUTION NO. 341-19: AUTHORIZATION TO CREATE ONE FULL-TIME EARLY INTERVENTION SERVICE COORDINATION POSITION AND AMEND THE 2019 BUDGET**

Mrs. Crane presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently receives funding from the

NYSDOH for administering the Children with Special Health Care Needs (CSHCN) grant; and

WHEREAS the CSHCN program focuses on children birth to age 21 who have, or are suspected of having a serious or chronic healthcare condition by assisting families who need help accessing various health care professionals and other community resources through information, referral and advocacy; and

WHEREAS, the current Early Intervention Program Supervisor coordinates the CSHCN grant and due to extensive supervisory duties is unable to fulfill all of the grant expectations with efficiency; and

WHEREAS, WCPH Administration has identified that coordination of the CSHCN grant could be performed by an EISC with better efficiency; and

WHEREAS, WCPH's EIP will have a Part-time Early Intervention Service Coordinator (EISC) position vacant in mid-August 2019 and will refill this position at such time; and

WHEREAS, WCPH desires to increase the part-time EISC position to full-time on October 1, 2019 when the CSHCN grant starts a new grant year; and

RESOLVED, that the Director of Public Health is hereby authorized to create (1) FTE Early Intervention Service Coordinator position, grade 20, for the Wayne County Early Intervention Program, to be filled on October 1, 2019 and abolish one (1) PTE EISC position; and be it further

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

A1990 Contingent Fund General

(Appropriations)

\$4,174.95 to 54000 Contractual Expenses

A4016 PH – Early Intervention

(Revenue)

\$ 3,125.00 to 43513 MA EISC Reimb

\$ 2101.99 to 44635 MA Assistance Admin

\$ 742.50 to 43277 State Aid

\$4,854.00 to 44449 CSHCN Grant

(Appropriations)

\$8,909.81 to 51521 Early Intervention Coordinator

\$5,429.75 from 51928 Early Intervention Coordinator PTY

\$828.61 to 58100 Retirement

\$266.07 to 58200 FICA

\$38.50 to 58600 Disability

\$5.50 to 58901 EAP

\$2,029.80 to 58400 Hospitalization"

Motion carried.

Upon roll call on the amended resolution, all Supervisors voted Aye. Absent – Supervisor Robusto. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 342-19: AUTHORIZATION TO APPOINT INTERIM COMMISSIONER OF SOCIAL SERVICES, SET SALARY AND APPOINT SELECTION COMMITTEE**

Mrs. Crane presented the following:

WHEREAS, the position of Commissioner of Social Services will become vacant on June 30, 2019, due to the retirement of Michael "Josh" McCrossen; and

WHEREAS, the Wayne County Board of Supervisors desires to maintain the operations and integrity of the Department of Social Services while a search for a permanent Commissioner of Social Services can be conducted; and

WHEREAS, Shelly Bentley is currently serving as Deputy Commissioner of Social Services in the Department of Social Services; and

WHEREAS, Shelly Bentley has the qualifications to serve as Interim Commissioner of

Social Services while the Board seeks candidates for filling the position permanently; and be it further

RESOLVED, that Shelly Bentley is hereby appointed to the position of Interim Commissioner of Social Services at the rate of \$100,159.00 effective on the first pay period after June 30, 2019; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorize the advertisement of the Commissioner of Social Services position at a salary within the range established by the Managerial/Confidential Compensation plan; and be it further

RESOLVED that the Chairman of the Board of Supervisors is hereby authorized to appoint a selection committee including three members of the Board of Supervisors, the County Administrator, and the Human Resource Director.

Mr. Verno moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Robusto. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 343-19: AUTHORIZATION TO ENDORSE PROJECT AT WILLIAMSON-SODUS AIRPORT**

Mrs. Crane presented the following:

WHEREAS, Williamson Flying Club, Inc. has requested state funds through the Airport Improvement and Revitalization Grant Program (AIR '99); and

WHEREAS, the project purpose is to add Jet-A capability to the airfield; and

WHEREAS, adding this capability will include purchase of a refueling truck with approximately 1,000 gallon capacity, an above ground storage tank with approximately 5,000 gallon capacity, installation of a secondary containment pad/shelter to house the tank and stage truck, a fuel invoicing system and one-time Jet-A handling training; and

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

RESOLVED, that the Wayne County Board of Supervisors endorses the project identified above at the Williamson-Sodus Airport for the purpose of making the project eligible for state funding; and be it further

RESOLVED, that the Clerk of the Board is directed to forward certified copies of this resolution to the appropriate county officials and to the Capital Projects Chairman of the Williamson Flying Club, Inc. to be filed with New York State Commissioner of Transportation.

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

**RESOLUTION NO. 344-19: AUTHORIZING ONE-YEAR EXTENSION OF AGREEMENT WITH MASS MUTUAL AND RELIANCE TRUST FOR ADMINISTRATION OF DEFERRED COMPENSATION PLAN**

Mrs. Crane presented the following:

WHEREAS, Wayne County contracts with Mass Mutual and Reliance Trust to administer a Deferred Compensation Plan for its employees; 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, these contracts will expire on July 1, 2019; and

WHEREAS, Section 9003-5(b) of the Rules and Regulations of the New York State Deferred Compensation Board allows for an additional one-year extension from the expiration date of the contracts; and

WHEREAS, that the County's Deferred Compensation Committee recommends that it is in the best interest of the County to extend contracts with Mass Mutual and Reliance Trust for a period of one year from the expiration date for reasons which include but are not limited to, the preservation of the stability of the Plan's administration, and to prepare for the solicitation and

evaluation of competitive proposals in accordance with Section 9003.3 of the Rules and Regulations of the New York State Deferred Compensation Board; now therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to extend, for a one-year period from expiration date, Deferred Compensation Plan Administration contracts with Mass Mutual in conjunction with Reliance Trust as trustee.

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

**RESOLUTION NO. 345-19: AUTHORIZING SUBMISSION OF CDBG APPLICATION THROUGH THE ECONOMIC DEVELOPMENT AND PLANNING OFFICE**

Mr. Spickerman presented the following:

WHEREAS, Wayne County last completed a comprehensive housing affordability strategy in Fiscal Year 1995; and

WHEREAS, population changes in the various towns and villages of Wayne County have shifted over the interceding 24 years, along with residential tastes and needs; and

WHEREAS, the County needs to plan for the needs and tastes of residents of varied income levels, ages and physical needs; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the submission of a 2019 Community Development Block Grant (CDBG) application requesting \$50,000 of grant funding to conduct an updated Comprehensive Housing Needs and Market Study; and be it further

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 County will provide up to \$2,650 of funding as a cash match to this grant proposal; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute any agreement documents necessary to implement the resolution, including acceptance of a CDBG award resulting from approved application, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 346-19: AUTHORIZATION TO ENTER INTO A LICENSE AGREEMENT WITH THE SODUS CENTRAL SCHOOL TO HOST A STUDENT/COMMUNITY BAND CONCERT AT SODUS POINT BEACH**

Mr. Miller presented the following:

WHEREAS, the Sodus Central School Band Director has requested the use of Sodus Point Beach to host a Student/Community Band Concert on Thursday, August 8, 2019 from 7-9 p.m.; and

WHEREAS, the School has requested to use the "Pavilion" for the event and plans on designate a certain section of the Park for this event, without blocking or restricting access for patrons that do not plan on attending the concert; and

WHEREAS, the School will not be charging a fee to attend this event; and

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a license Agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with the Sodus Central School, for the purpose of hosting a student/community band concert on Thursday, August 8th, 2019 at Sodus Point Beach Park.

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

**RESOLUTION NO. 347-19: AUTHORIZATION TO ACCEPT FUNDS AND AMEND THE PARKS BUDGET**

Mr. Miller presented the following:

WHEREAS, in fall of 2018 a new playground was installed at B. Forman Park in Williamson as part of a KaBoom Let's Play initiative that was sponsored by Keurig Dr. Pepper in Williamson; and

WHEREAS, the Town of Williamson also took the lead in a fundraising campaign to meet the local match for this Let's Play initiative; and

WHEREAS, the Town of Williamson has a remaining fund balance of \$3,139.00 in this fundraising account which should be used toward further enhancements at B. Forman Park; and

WHEREAS, the Town of Williamson has turned over the remaining funds to the County to be used to purchase further park enhancement items; now, therefor be it

RESOLVED, Wayne County hereby accepts \$3,139.00 from the Town of Williamson; and be it further

RESOLVED, the Superintendent of Public Works is directed to utilize these funds to further improve B. Forman Park in Williamson, NY, and be it further

RESOLVED, that the Treasurer is authorized to adjust the Parks budget as follows;

**A7110 Parks**

(Revenue)

\$3,139 to 42770 Miscellaneous Revenues

(Appropriations)

\$3,139 to 54407 Building Maintenance & Repairs

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

**RESOLUTION NO. 348-19: SETTING DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW PROHIBITING ILLICIT DISCHARGES, ACTIVITIES AND CONNECTIONS TO THE WAYNE COUNTY SEPARATE STORM SEWER SYSTEM**

Mr. Miller presented the following:

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on **Tuesday, July 16, 2019 at 9:05 a.m.** at the Wayne County Board Meeting to be held at in the Supervisors' Chambers in the County Court House, Lyons, New York, on the following proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK  
INTRO NO. 4/LOCAL LAW NO. \_\_\_ FOR THE YEAR 2019**

A Local Law of the County of Wayne, New York, Prohibiting Illicit Discharges, Activities, and Connections to the Wayne County Separate Storm Sewer System

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

**SECTION 1. LEGISLATIVE INTENT.**

The purpose of this law is to provide for the health, safety, and general welfare of the citizens of the County of Wayne through the regulation of non-stormwater discharges to the County-owned municipal separate storm sewer system (MS4) to the maximum extent practicable as required by federal and state law. This law establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems. The objectives of this law are:

- A. To meet the requirements of the SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems Permit No. GP-02-02 or as amended or revised;

- B. To regulate the contribution of pollutants to the MS4 since such systems are not designed to accept, process or discharge non-stormwater wastes;
- C. To prohibit Illicit Connections, Activities and Discharges to the MS4;
- D. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this law; and
- E. To promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the MS4.

**SECTION 2. DEFINITIONS.**

Whenever used in this law, unless a different meaning is stated in a definition applicable to only a portion of this law, the following terms will have meanings set forth below:

- A. Best Management Practices (BMPs). Schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.
- B. Clean Water Act. The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.
- C. Construction Activity. Activities requiring authorization under the SPDES permit for stormwater discharges from construction activity, GP-02-01, as amended or revised. These activities include construction projects resulting in land disturbance of one or more acres. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.
- D. Department. The New York State Department of Environmental Conservation.
- E. Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
- F. Illicit Connections. Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the MS4, including but not limited to:
  1. Any conveyances which allow any non-stormwater discharge including treated or untreated sewage, process wastewater, and wash water to enter the MS4 and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or
  2. Any drain or conveyance connected from a commercial or industrial land use to the MS4 which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.
- G. Illicit Discharge. Any direct or indirect non-stormwater discharge to the MS4, except as exempted in Section 5 of this law.
- H. Industrial Activity. Activities requiring the SPDES permit for discharges from industrial activities except construction, GP-98-03, as amended or revised.
- I. MS4. Municipal Separate Storm Sewer System.
- J. Municipal Separate Storm Sewer System. A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):
  1. Owned or operated by the County of Wayne;
  2. Designed or used for collecting or conveying stormwater;
  3. Which is not a combined sewer; and

4. Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40CFR 122.2
- K. Municipality. The County of Wayne
- L. Non-Stormwater Discharge. Any discharge to the MS4 that is not composed entirely of stormwater.
- M. Person. Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.
- N. Pollutant. Dredged spoil, filter backwash, solid waste, incinerator residue, treated or untreated sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water; which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards.
- O. Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.
- P. Special Conditions.
1. Discharge Compliance with Water Quality Standards. The condition that applies where a municipality has been notified that the discharge of stormwater authorized under their MS4 permit may have caused or has the reasonable potential to cause or contribute to the violation of an applicable water quality standard. Under this condition the municipality must take all necessary actions to ensure future discharges do not cause or contribute to a violation of water quality standards.
  2. 303(d) Listed Waters. The condition in the municipality's MS4 permit that applies where the MS4 discharges to a 303(d) listed water. Under this condition the stormwater management program must ensure no increase of the listed pollutant of concern to the 303(d) listed water.
  3. Total Maximum Daily Load (TMDL) Strategy. The condition in the municipality's MS4 permit where a TMDL including requirements for control of stormwater discharges has been approved by EPA for a waterbody or watershed into which the MS4 discharges. If the discharge from the MS4 did not meet the TMDL stormwater allocations prior to September 10, 2003, the municipality was required to modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.
  4. The condition in the municipality's MS4 permit that applies if a TMDL is approved in the future by EPA for any waterbody or watershed into which an MS4 discharges. Under this condition the municipality must review the applicable TMDL to see if it includes requirements for control of stormwater discharges. If an MS4 is not meeting the TMDL stormwater allocations, the municipality must, within six (6) months of the TMDL's approval, modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.
- Q. State Pollutant Discharge Elimination System (SPDES) Stormwater Discharge Permit. A permit issued by the Department that authorizes the discharge of pollutants to waters of the state.
- R. Stormwater. Rainwater, surface runoff, snowmelt and drainage.
- S. Stormwater Management Officer (SMO). An employee, the municipal engineer or other public official(s) designated by the County of Wayne to enforce this local law. The SMO may also be designated by the municipality to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices.
- T. 303(d) List. A list of all surface waters in the state for which beneficial uses of the water (drinking, recreation, aquatic habitat, and industrial use) are impaired by pollutants, prepared periodically by the Department as required by Section 303(d) of the Clean Water Act. 303(d) listed waters are estuaries, lakes and streams that fall short of state surface water quality standards and are not expected to improve within the next two years.

- U. TMDL. Total Maximum Daily Load.
- V. Total Maximum Daily Load. The maximum amount of a pollutant to be allowed to be released into a waterbody so as not to impair uses of the water, allocated among the sources of that pollutant.
- W. Wastewater. Water that is not stormwater, is contaminated with pollutants and is or will be discarded.

### **SECTION 3. APPLICABILITY.**

This law shall apply to all water entering the MS4 generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

### **SECTION 4. RESPONSIBILITY FOR ADMINISTRATION.**

The Stormwater Management Officer(s) (SMO(s)) shall administer, implement, and enforce the provisions of this law. Such powers granted or duties imposed upon the authorized enforcement official may be delegated in writing by the SMO as may be authorized by the municipality.

### **SECTION 5. DISCHARGE PROHIBITIONS.**

- A. Prohibition of Illegal Discharges.
- B. No person shall discharge or cause to be discharged into the MS4 any materials other than stormwater except as provided in Section B.1. The commencement, conduct or continuance of any illegal discharge to the MS4 is prohibited except as described as follows:
  - 1. The following discharges are exempt from discharge prohibitions established by this local law, unless the Department or the municipality has determined them to be substantial contributors of pollutants: water line flushing or other potable water sources, landscape irrigation or lawn watering, existing diverted stream flows, rising ground water, uncontaminated ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains, crawl space or basement sump pumps, air conditioning condensate, irrigation water, springs, water from individual residential car washing, natural riparian habitat or wetland flows, dechlorinated swimming pool discharges, residential street wash water, water from fire fighting activities, and any other water source not containing pollutants. Such exempt discharges shall be made in accordance with an appropriate plan for reducing pollutants.
  - 2. Discharges approved in writing by the SMO to protect life or property from imminent harm or damage, provided that, such approval shall not be construed to constitute compliance with other applicable laws and requirements, and further provided that such discharges may be permitted for a specified time period and under such conditions as the SMO may deem appropriate to protect such life and property while reasonably maintaining the purpose and intent of this local law.
  - 3. Dye testing in compliance with applicable state and local laws is an allowable discharge, but requires a verbal notification to the SMO prior to the time of the test.
  - 4. The prohibition shall not apply to any discharge permitted under an SPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Department, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the MS4.

### **SECTION 6. PROHIBITION OF ILLICIT CONNECTIONS.**

- A. The construction, use, maintenance or continued existence of illicit connections to the MS4 is prohibited.



- B. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- C. A person is considered to be in violation of this local law if the person connects a line conveying sewage to the municipality's MS4, or allows such a connection to continue.

**SECTION 7. PROHIBITION AGAINST ACTIVITIES CONTAMINATING STORMWATER**

- A. Activities that are subject to the requirements of this section are those types of activities that:
  - 1. Cause or contribute to a violation of the municipality's MS4 SPDES permit.
  - 2. Cause or contribute to the municipality being subject to the Special Conditions as defined in Section 2 (Definitions) of this local law.
- A. Upon notification to a person that he or she is engaged in activities that cause or contribute to violations of the municipality's MS4 SPDES permit authorization, that person shall take all reasonable actions to correct such activities such that he or she no longer causes or contributes to violations of the municipality's MS4 SPDES permit authorization.

**SECTION 8. REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORMWATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES.**

- A. Best Management Practices
- B. Where the SMO has identified illicit discharges as defined in Section 2 or activities contaminating stormwater as defined in Section 7 the municipality may require implementation of Best Management Practices (BMPs) to control those illicit discharges and activities.
  - 1. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the MS4 through the use of structural and non-structural BMPs.
  - 2. Any person responsible for a property or premise, which is, or may be, the source of an illicit discharge as defined in Section 2 or an activity contaminating stormwater as defined in Section 7, may be required to implement, at said person's expense, additional structural and non-structural BMPs to reduce or eliminate the source of pollutant(s) to the MS4.
  - 3. Compliance with all terms and conditions of a valid SPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

**SECTION 9. SUSPENSION OF ACCESS TO MS4. Illicit Discharges in Emergency Situations.**

- A. The SMO may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge, which presents or may present imminent and substantial danger to the environment, to the health or welfare of persons, or to the MS4. The SMO shall notify the person of such suspension within a reasonable time thereafter in writing of the reasons for the suspension. If the violator fails to comply with a suspension order issued in an emergency, the SMO may take such steps as deemed necessary to prevent or minimize damage to the MS4 or to minimize danger to persons.
- B. Suspension due to the detection of illicit discharge. Any person discharging to the municipality's MS4 in violation of this law may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The SMO will notify a violator in writing of the proposed termination of its MS4 access and the reasons therefore. The violator may petition the SMO for a reconsideration and hearing. Access may be granted by the SMO if he/she finds that the illicit discharge has ceased and the discharger has taken steps to prevent its recurrence. Access may be denied if the SMO determines in

writing that the illicit discharge has not ceased or is likely to recur. A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the SMO.

C.

**SECTION 10. INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES.**

Any person subject to an industrial or construction activity SPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the municipality prior to the allowing of discharges to the MS4.

**SECTION 11. ACCESS AND MONITORING OF DISCHARGES.**

- A. Applicability. This section applies to all facilities that the SMO must inspect to enforce any provision of this Law, or whenever the authorized enforcement agency has cause to believe that there exists, or potentially exists, in or upon any premises any condition, which constitutes a violation of this Law.
- B. Access to Facilities.
1. The SMO shall be permitted to enter and inspect facilities subject to regulation under this law as often as may be necessary to determine compliance with this Law. If a discharger has security measures in force, which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to the SMO.
  2. Facility operators shall allow the SMO ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records as may be required to implement this law.
  3. The municipality shall have the right to set up on any facility subject to this law such devices as are necessary in the opinion of the SMO to conduct monitoring and/or sampling of the facility's stormwater discharge.
  4. The municipality has the right to require the facilities subject to this law to install monitoring equipment as is reasonably necessary to determine compliance with this law. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
  5. Unreasonable delays in allowing the municipality access to a facility subject to this law is a violation of this law. A person who is the operator of a facility subject to this law commits an offense if the person denies the municipality reasonable access to the facility for the purpose of conducting any activity authorized or required by this law.
  6. If the SMO has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this law, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this law or any order issued hereunder, then the SMO may seek issuance of a search warrant from any court of competent jurisdiction.

**SECTION 12. NOTIFICATION OF SPILLS.**

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into the MS4, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the municipality in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by

written notice addressed and mailed to the municipality within three business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

#### **SECTION 13. ENFORCEMENT.**

- A. Notice of Violation.
- B. When the municipality's SMO finds that a person has violated a prohibition or failed to meet a requirement of this law, he/she may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:
  - 1. The elimination of illicit connections or discharges;
  - 2. That violating discharges, practices, or operations shall cease and desist;
  - 3. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
  - 4. The performance of monitoring, analyses, and reporting;
  - 5. Payment of a fine; and
  - 6. The implementation of source control or treatment BMPs. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.
- C. Penalties. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this local law shall be guilty of a violation punishable by a fine not exceeding three hundred fifty dollars (\$350) or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than three hundred fifty dollars nor more than seven hundred dollars (\$700) or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than seven hundred dollars nor more than one thousand dollars (\$1000) or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this local law shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

#### **SECTION 14. APPEAL OF NOTICE OF VIOLATION.**

Any person receiving a Notice of Violation may appeal the determination of the SMO to the Board of Supervisors of the County of Wayne within 15 days of its issuance, which shall hear the appeal within 30 days after the filing of the appeal, and within five days of making its decision, file its decision in the office of the Clerk of Wayne County Board of Supervisors and mail a copy of its decision by certified mail to the discharger.

#### **SECTION 15. CORRECTIVE MEASURES AFTER APPEAL.**

- A. If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within 5 business days of the decision of the municipal authority upholding the decision of the SMO, then the SMO shall request the owner's permission for access to the subject private property to take any and all measures reasonably necessary to abate the violation and/or restore the property.
- B. If refused access to the subject private property, the SMO may seek a warrant in a court of competent jurisdiction to be authorized to enter upon the property to determine whether a violation has occurred. Upon determination that a violation has occurred, the SMO may

seek a court order to take any and all measures reasonably necessary to abate the violation and/or restore the property. The cost of implementing and maintaining such measures shall be the sole responsibility of the discharger.

**SECTION 16. INJUNCTIVE RELIEF.**

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this law. If a person has violated or continues to violate the provisions of this law, the SMO may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

**SECTION 17. ALTERNATIVE REMEDIES.**

- A. Where a person has violated a provision of this Law, he/she may be eligible for alternative remedies in lieu of a civil penalty, upon recommendation of the Municipal Attorney and concurrence of the Municipal Code Enforcement Officer, where:
  - 1. The violation was unintentional
  - 2. The violator has no history of pervious violations of this Law.
  - 3. Environmental damage was minimal.
  - 4. Violator acted quickly to remedy violation.
  - 5. Violator cooperated in investigation and resolution.
- B. Alternative remedies may consist of one or more of the following:
  - 1. Attendance at compliance workshops
  - 2. Storm drain stenciling or storm drain marking
  - 3. River, stream or creek cleanup activities

**SECTION 18. VIOLATIONS DEEMED A PUBLIC NUISANCE.**

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this law is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

**SECTION 19. REMEDIES NOT EXCLUSIVE.**

The remedies listed in this law are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

**SECTION 20. SEVERABILITY.**

The provisions of this law are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this law or the application thereof to any person, establishment, or circumstances shall be held invalid by any court of competent jurisdiction, such invalidity shall not affect the other provisions or application of this law.

**SECTION 21. EFFECTIVE DATE.**

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

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

**RESOLUTION NO. 349-19: AUTHORIZATION TO ADJUST PROPERTY LINES ON COUNTY OWNED PARCELS IN THE TOWN OF SODUS**

Mr. Miller presented the following:

WHEREAS, the County owns properties located at 7190 and 7192 Ridge Road in Sodus, both of which are occupied by Wayne CAP; and

WHEREAS, Wayne Consolidated Association (Wayne CAP) owns the property located at 7188 Ridge Road; and

WHEREAS, there is a building on 7188 that encroaches onto the property of 7190; and  
WHEREAS, the driveway access to 7190 currently passes through 7192; and

WHEREAS, the Superintendent of Public Works is desirous of revising the property lines to eliminate encroachments and to allow full access to all properties; now, therefore be it

RESOLVED, that the Superintendent of Public works is authorized to revise the property lines of County properties located at 7190 and 7192 Ridge Road in Sodus; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign all documents associated with the filing of revised property maps.

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

**RESOLUTION NO. 350-19: AUTHORIZATION TO SET DATE FOR PUBLIC HEARING FOR THE TRANSFER OF THE ERIE CANAL CULTURAL CENTER (ECCC)**

Mr. Miller presented the following:

WHEREAS, the County no longer has a use for the ECCC building and property located at 165 Water Street in the Town of Lyons; and

WHEREAS, a local not-for-profit group has an interest in the building/property for a use that will conform with the current cultural easements that have been placed on the property; and

WHEREAS, the purpose of the hearing is to allow citizens to comment on the possible change in current use; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the Clerk of the Board to advertise and conduct the hearing in time to permit the transfer of the ECCC; and be it further

RESOLVED, that the hearing be set for **Tuesday, July 16, 2019 at 9:10 a.m.** in the Supervisors Chambers at 26 Church Street, Lyons, New York; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to publish notice in the legal newspapers for the County for the first available publication.

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

Mr. Miller announced that he would be withdrawing Transmittal No. 3-6 entitled, **“AUTHORIZATION TO ACCEPT BID FOR PATIO EXPANSION PROJECT AT THE NURSING HOME”**, as this resolution was revised and would be presented from the Finance Committee.

**RESOLUTION NO. 351-19: AUTHORIZATION TO EXPEND FUNDS FOR SHERIFF'S OFFICE PATROL BOAT AND MODIFY THE 2019 BUDGET**

Mr. Verkey presented the following:

WHEREAS, Resolution No. 068-19 authorized using grant funds and insurance proceeds for the procurement of a replacement Sheriff's Office patrol boat which was destroyed by fire during the 2017 Lake Ontario flooding; and

WHEREAS, there is a need to purchase the necessary radio equipment and mobile computer for use on the patrol boat which was not included in the original quote; and

WHEREAS, adequate funding is available under the original grant program to absorb the cost increase at no additional cost to the County; now, therefore, be it

RESOLVED, that the Sheriff, or his designee, is hereby authorized to purchase the aforementioned equipment, at a cost not to exceed \$14,650, in accordance with the County purchasing policy; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2019 County budget as follows:

**A3641 State of Emergency**

(Revenues)

Amount	Object#	Project ID	Object Name	Project Name
\$14,650 to 43960		CDB17	Emergency Disaster Assistance	2017 CDB Grant

(Appropriations)

Amount	Object#	Project ID	Object Name	Project Name
\$14,650 to 52000		CDB17	Equipment & Other Cap Outlay	2017 CDB Grant

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

**RESOLUTION NO. 352-19: AUTHORIZATION TO ACCEPT BID FOR AN INMATE TRANSPORT VEHICLE SEPARATION INSERT AND AMEND THE 2019 BUDGET**

Mr. Verkey presented the following:

WHEREAS, Resolution No. 240-19 authorized the Clerk of the Board of Supervisors to advertise for bids for the purchase and shipment of an inmate transport separation insert to fit a Ford Transit 350 Mid Roof Van; and

WHEREAS, sealed bids were due by 2:00 p.m. on May 16<sup>th</sup>, 2019, at which time only one bid was received and publicly opened from Bob Barker Company in the amount of \$30,813.50; and

WHEREAS, the bid submitted meets the requirements set forth in the specifications and it is necessary to have the insert to separate inmates by classification per the NYS Commission of Correction Minimum Standards; now, therefore, be it

RESOLVED, that the bid submitted by Bob Barker Company is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and Sheriff are hereby authorized and directed to execute a contract not to exceed \$30,813.50 on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Bob Barker Company; and be it further

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

**A1990 General Fund Contingency**

(Appropriations)

\$30,813.50 from 54000 Contractual Expenses

**A3150 Jail**

(Appropriations)

\$30,813.50 to 52300 Motor Vehicles

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

**RESOLUTION NO. 353-19: AUTHORIZATION TO APPROVE CHANGE ORDER FOR SHERIFF'S OFFICE PATROL BOAT PURCHASE AND MODIFY THE 2019 BUDGET**

Mr. Verkey presented the following:

WHEREAS, Resolution No. 068-19 authorized using grant funds and insurance proceeds for the procurement of a replacement Sheriff's Office patrol boat which was destroyed by fire during the 2017 Lake Ontario flooding; and

WHEREAS, during the build process, it was discovered that the originally specified transducer would be inadequate for the intended purpose requiring a substitution resulting in an increased cost to the project of \$1,413; and

WHEREAS, adequate funding is available under the original grant program to absorb the cost increase at no additional cost to County taxpayers; now, therefore, be it

RESOLVED, that the Sheriff, or his designee, is hereby authorized and directed to execute a change order, not to exceed \$1,413, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2019 County budget as follows:

**A3641 State of Emergency**

(Revenues)

Amount	Object#	Project ID	Object Name	Project Name
\$1,413 to 43960	CDB17		Emergency Disaster Assistance	2017 CDB Grant

(Appropriations)

Amount	Object#	Project ID	Object Name	Project Name
\$1,413 to 52000	CDB17		Equipment & Other Cap Outlay	2017 CDB Grant

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

**RESOLUTION NO. 354-19: AUTHORIZATION TO ACCEPT THE 2018 OPERATION STONEGARDEN GRANT, AMEND THE 2019 BUDGET AND EXPEND FUNDS FOR SHERIFF'S OFFICE**

Mr. Verkey presented the following:

WHEREAS, the Wayne County Sheriff's Office has been awarded a no cash match 2018 Operation Stonegarden grant from the Department of Homeland Security and Emergency Services, in the amount of \$110,000; and

WHEREAS, a stipulation of the grant is that said funds must be used to assist in border security along Lake Ontario and the adjoining bays in Wayne County; and

WHEREAS, said grant funds are dedicated for the purchase of License Plate Readers and operational overtime; at no cost to County taxpayers; and

WHEREAS, the Sheriff is requesting authorization be granted to purchase License Plate Readers, at a cost not to exceed \$80,000, and expended overtime, including fringe benefits, at a cost not to exceed \$30,000; as authorized by said grant; now, therefore, be it

RESOLVED, that the Sheriff and the Chairman of the Board of Supervisors are hereby authorized to execute any agreements associated with the 2018 Operation Stonegarden grant upon review and approval of the County Attorney; and, be it further

RESOLVED, that the Sheriff be authorized to purchase the aforementioned equipment, at a cost not to exceed \$80,000; expend operational overtime, including fringe benefits, at a cost not to exceed \$30,000, as authorized by said grant, and at no cost to County taxpayers; and, be it further

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

**A3114 – Road Patrol**

(Revenue)

Amount	Object#	Project ID	Object Name	Project Name
\$110,000 to 44302		STG18	Homeland Security Federal	Stonegarden 2018

(Appropriations)

Amount	Object#	Project ID	Object Name	Project Name
\$30,000 to 51904		STG18	Overtime	Stonegarden 2018
\$80,000 to 52000		STG18	Equipment and Other Cap	Stonegarden 2018

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

**RESOLUTION NO. 355-19: AUTHORIZATION TO CREATE PUBLIC SAFETY DISPATCH SUPERVISOR POSITION FOR WAYNE COUNTY E911**

Mr. Verkey presented the following:

WHEREAS, the 2019 operating budget includes funding for an additional Supervisor position in E911, effective July 2, 2019; and

WHEREAS, this position will ensure greater quality control efforts and eventual accreditation of the 911 department division; and

WHEREAS, this position is necessary to assist in vacation coverage for supervisors so that a supervisor is on duty to maintain efficient operations and incident management at all

hours; and

WHEREAS, this position will allow flexibility so that the training program, new-hire and continuing education can be effectively implemented and maintained; now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the creation of one full time Public Safety Dispatch Supervisor position, effective July 2, 2019.

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

**RESOLUTION NO. 356-19: AUTHORIZE THE WAYNE COUNTY BOARD OF SUPERVISORS TO SUPPORT THE H.R. 1629, '911 SAVES' ACT AND THE SENATE COMPANION BILL**

Mr. Verkey presented the following:

WHEREAS, the 911 Saves Act directs the US Office of Management and Budget to reclassify public safety telecommunicators from "Office and Administrative Support Occupations" to the category of "Protective Service Occupations"; and

WHEREAS, the federal government's Standard Occupational Classification System (SOCS) sorts workers into occupational categories for statistical purposes, according to the nature of the work performed and, in some cases, on the skills, education, or training needed to perform the work; and

WHEREAS, America's 9-1-1 telecommunicators are currently incorrectly categorized in the SOCS as an "Office and Administrative Support Occupation," a category which includes secretaries, office clerks, and taxicab dispatchers; and

WHEREAS, classifying 9-1-1 telecommunicators as an "Office and Administrative Support Occupation" fails to recognize their central role in public safety and homeland security, their specialized training and skills, and their uniquely stressful work environment; and

WHEREAS, classifying public safety telecommunicators as "Protective Service Occupations" – alongside police, firefighters, security guards, lifeguards, and others whose job it is to protect our communities – would better reflect the work they perform, and align the SOCS with related classification systems; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors calls upon all members of The State of New York's U.S. House delegation to cosponsor H.R. 1629, the Supporting Accurate Views of Emergency Services Act of 2019 (911 SAVES Act), which would direct the White House Office of Management and Budget (OMB) to reclassify public safety telecommunicators as a "Protective Service Occupation"; and we also call upon our U.S. Senators to support the companion legislation; and be it further

RESOLVED, members of the Wayne County Board of Supervisors will continue to advocate for an accurate statistical classification for 9-1-1 professionals to support critical research into the nature and impacts of 9-1-1 jobs, which differ substantially from those encountered by non-public-safety "Office and Administrative Support Occupations."

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

**RESOLUTION NO. 357-19: AUTHORIZATION TO PURCHASE AND INSTALL RADIOS FOR THE MULTIPURPOSE VEHICLE**

Mr. Verkey presented the following:

WHEREAS, pursuant to Board of Supervisors Resolution No. 144-18, a multipurpose vehicle was purchased for utilization in support of police, fire and EMS operations at various incidents, with the vehicle commonly known as the rehab vehicle; and

WHEREAS, the vehicle is in service, and has been utilized at several emergencies and drills thus far; and

WHEREAS, it is necessary to equip the vehicle with the two-way radios that are needed to



support the various operations where it is, or could be, utilized; now, therefore, be it

RESOLVED, that one Motorola APX8500 multiband radio, with dual head option, shall be purchased utilizing the current New York State purchasing contract PT67405, at a cost not to exceed \$7326, purchased through Finger Lakes Communications of Auburn, NY; and be it further

RESOLVED, that installation of the aforementioned multiband radio, as well as one previously purchased VHF mobile radio, to be utilized primarily for Ginna related drills by the field monitoring teams, with antennas, mounting brackets and other hardware, shall be accomplished by NYSPSEL, of Newark, NY, the current contractor performing all public safety mobile radio installations, at a cost not to exceed \$1420, for a total project cost not to exceed \$8746; and be it further

RESOLVED, that funding for said radio purchase and installation shall be from H39182.52000.SHS17 Homeland Security grant expense account.

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

**RESOLUTION NO. 358-19: AUTHORIZATION TO AMEND RESOLUTION NO. 018-14 ADOPTION OF THE ASSIGNED COUNSEL INVOICE SUBMISSION POLICY**

Mrs. Pagano presented the following:

WHEREAS, pursuant to Resolution No. 018-14, the Wayne County Board of Supervisors adopted an invoice Submission policy to ensure the prompt payment of Assigned Counsel Invoices and ensure that adequate funds are budgeted for this appropriation; and

WHEREAS, the current Assigned Counsel Invoice Submission Policy is in need of revisions to provide clarification to portions of the policy; and

WHEREAS, updating the policy will ensure the timely submission of invoices and facilitate prompt payment of those invoices; and

WHEREAS, the revised policy has been drafted by the County Auditor with consideration of the Assigned Counsel Administrator's suggestions; now, therefore be it

RESOLVED, the following policy is hereby amended and adopted, as follows:

**ASSIGNED COUNSEL INVOICE SUBMISSION POLICY**

1. Invoices must be received in the Assigned Counsel Administrator's office 60 days after the disposition, reassignment, or dismissal of a case and date stamped as such.
2. Invoices received 61 to 120 days after disposition, reassignment, or dismissal of a case will be submitted to the Finance Committee for review and final decision on payment.
3. All invoices received 120 days after disposition, reassignment, or dismissal of a case shall be denied payment.
4. This policy shall be effective immediately.

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

**RESOLUTION NO. 359-19: AUTHORIZATION TO RENEW ZIX EMAIL ENCRYPTION SOFTWARE THROUGH DOX ELECTRONICS**

Mrs. Pagano presented the following:

WHEREAS, Wayne County is required to encrypt all emails containing protected information; and

WHEREAS, Wayne County has used ZIX email encryption to accomplish this for six years and is up for renewal; and

WHEREAS, Dox Electronics was the lowest quoted price of \$12,840; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with DOX Electronics to renew ZIX email

encryption for one year at a cost of \$12,840.

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

**RESOLUTION NO. 360-19: AUTHORIZING TRANSFER OF PROPERTY TO THE WAYNE COUNTY REGIONAL LAND BANK CORPORATION**

Mrs. Pagano presented the following:

WHEREAS, the County has commenced a real property tax foreclosure proceeding pursuant to Real Property Tax Law Article 11; and

WHEREAS, The Wayne County Regional Land Bank Corporation recently incorporated and is requesting the County to transfer ownership of (20) parcels to the Land Bank; and

WHEREAS, the Board of Director's for the Wayne County Regional Land Bank Corporation met on May 16, 2019 and have recommended the following properties be transferred to the Land Bank:

- Seq #307 9643 Route 31W #72112-00-882460
- Seq #401 24 Cayuga St #74112-18-406194
- Seq #412 2996 Route 414N #74113-00-407537
- Seq #594 22 Lawrence St #71111-09-197713
- Seq #610 163 Geneva St #71111-13-080352
- Seq #618 Elmer St #71111-13-155454
- Seq #620 Elmer St #71111-13-166452
- Seq #654 606 Frey Rd #61112-00-583911
- Seq #986 5066 Gray St #73116-20-806138
- Seq #1031 1329 Hogback Rd #76111-00-872466
- Seq #1171 18 Newark St #69117-05-049893
- Seq #1254 8106 Margaretta Rd #70118-08-944888
- Seq #1262 8195 Limekiln Rd #71115-00-029418
- Seq #1263 8211 Limekiln Rd #71115-00-087408
- Seq #1479 6478 E. Townline Rd #67117-05-088902
- Seq #1557 12799 Ridge Rd #76117-00-828498
- Seq #1582 8087 Larkin Rd #76119-00-450883

WHEREAS, the Wayne County Regional Land Bank Corporation is desirous of receiving the above cited properties for remediation necessary for the improvement of the community; and

WHEREAS, the County is authorized to transfer the title of the aforesaid real property under Section 1608 of the Not-For-Profit Corporation Law, which authorizes and allows the County to make a conveyance of real property owned by the County to a Land Bank established pursuant to Article 16 of the Not-for-Profit Corporation Law of the State of New York; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors authorizes the Wayne County Treasurer and County Attorney to transfer the deed for the above described property to the Wayne County Regional Land Bank Corporation for the amount of \$1.00.

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

Mrs. Pagano moved, seconded by Mr. Chatfield that the second WHEREAS clause be updated to reflect a change from 20 to 17 parcels.

Motion carried.

Upon roll call, all Supervisors voted Aye. Absent – Supervisor Robusto. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 361-19: AUTHORIZATION TO WITHDRAW REAL PROPERTY PARCELS WITH LEGAL ISSUES FROM THE TAX FORECLOSURE PROCESS CERTAIN**

Mrs. Pagano presented the following:

WHEREAS, The County Treasurer has identified certain real property listed below, a copy which is on file with the Clerk of the Board with legal issues in the Tax Foreclosure process for 2019 in regards to unpaid real property tax liens for the year 2017.

WHEREAS, the County Real Property Tax Foreclosure proceeding for 2019 in relation to unpaid real property tax liens from 2017 is progressing forward and will result in a Judgement awarding to the County of Wayne title to certain parcels of real property in relation to which the 2017 tax liens held by the County were foreclosed; and

WHEREAS the County Board of Supervisors has identified certain real property parcels included on the list of property for which the 2017 real property tax liens remain unsatisfied, a copy which is on file with the Clerk of the Board, which have legal barriers to foreclosing the tax liens for tax enforcement; now, therefore, be it

RESOLVED, the Board of Supervisors, upon the recommendation of the Wayne County Treasurer and the County Attorney, concurs with their recommendation that these real property parcels listed below be withdrawn from the foreclosure process.

<u>Town/Village</u>	<u>Property Location</u>	<u>Owner</u>	<u>Tax Map #</u>
<u>Town of Arcadia</u> Seq. # 188	0 Welcher Rd	Scott Smith	69112-00-113642
<u>Town of Palmyra</u> Seq. # 916	4775 Tellier Rd	Karl Kern	66112-12-802524

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

**RESOLUTION NO. 362-19: CONCUR WITH COUNTY TREASURER'S RECOMMENDATION TO WITHDRAW FROM FORECLOSURE PROCESS AND PLACE IN ROLL SECTION 8**

Mrs. Pagano presented the following:

WHEREAS, the County Treasurer has identified certain real property listed below, a copy of which is on file with the Clerk of the Board that have a barrier to tax enforcement; and

WHEREAS, that the Wayne County Treasurer shall file a Certificate of Cancellation which will have the effect of canceling the outstanding delinquent tax liens and shall file a Certificate of Prospective Cancellation setting forth relevant facts with the assessor of the assessing unit of the town in which said parcels are located and the Director of Real Property Services; now, therefore, be it

RESOLVED, that the Board of Supervisors concur with the County Treasurer's recommendations that the following real property parcels listed below be withdrawn from the foreclosure process and placed in the exempt portion of the tax roll (Roll Section 8):

<u>Town/Village</u>	<u>Property Location</u>	<u>Owner</u>	<u>Tax Map#</u>
<u>Town of Galen</u> Seq. # 386	45 E Genesee St	1983 Finance Co. LC	74112-14-432343
<u>Town of Sodus</u> Seq. # 1147	6557 Rt. 88	Deborah Bruegger	68117-00-994966
Seq. # 1169	195 Main St W	Deborah Bruegger	69117-05-004962

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

**RESOLUTION NO. 363-19: AUTHORIZATION TO REMOVE REAL PROPERTY PARCEL FROM THE PUBLIC AUCTION AND RETAIN FOR PUBLIC PURPOSES**

Mrs. Pagano presented the following:

WHEREAS, property located at 7056 Old Lyons Road in the Town of Arcadia (Parcel ID #69111-00-665787) was subject to 2017 tax liens and foreclosed upon by the County Treasurer; and

WHEREAS, the Superintendent of Public Works has requested that this parcel remain the property of the County of Wayne so it may be used for the development of a Canal Trail access point to include parking spaces; now therefore be it

RESOLVED, that the parcel located at 7056 Old Lyons Road in the Town of Arcadia be removed from the June 12, 2019 Real Property Auction and the ownership remain as the County of Wayne.

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

Mrs. Crane addressed the Board to comment that this Board hates to see these properties placed in Roll Section 8, as it's a well-known fact of the hard process to get these back on the tax rolls. In the future, we hope to see less and less of these with

commitment from the Wayne County Regional Land Bank.

Upon roll call, adopted.

**RESOLUTION NO. 364-19: RESOLUTION IN OPPOSITION TO STATE LEGISLATIVE PROPOSALS THAT COULD UNDERMINE THE CAREFUL BALANCE THAT EXISTS IN STATE LAW RELATED TO THE TAX FORECLOSURE PROCESS IN NEW YORK STATE AS PROPOSED IN S.4676/A.4863**

Mrs. Pagano presented the following:

WHEREAS, the current real property tax law process to ensure tax compliance and limit tax foreclosure has been on the books for decades; and

WHEREAS, the real property tax foreclosure process is designed to strike a balance for a strong enforcement mechanism to ensure critical property tax revenues are protected to provide vital state mandated and local services in our communities, while providing property owners important alternatives and additional time to make payments to avoid foreclosure; and

WHEREAS, legislative proposals in S.4676 and A.4863 would eliminate certain tax enforcement fees and penalties, allow for lower interest rates in tax delinquencies, and eliminates the current law "reverse chronological order" of satisfying tax liens; and

WHEREAS, reducing these fee, penalty and interest tax enforcement measures will likely reduce the effectiveness and balance of the current system; and

WHEREAS, eliminating the current law "reverse chronological order" provisions will allow property owners to potentially abuse the system and remain perpetually in arrears on their property taxes, significantly damaging tax compliance; and

WHEREAS, reduced tax compliance can jeopardize the delivery of critical state and local services in the community, and will unfairly shift the burden of these unpaid property taxes to other property owners; and

WHEREAS, county government is the primary governmental unit, along with some cities and other municipalities, charged by the State with ensuring real property tax law compliance and enforcement at the local level; and

WHEREAS, under this charge, counties are required to fully reimburse all school districts and most towns and villages for any property taxes they cannot collect in the first instance, which often requires counties to borrow tens of millions of dollars annually while tax recoupment is commenced, all with the primary goal of ensuring fairness and avoiding tax foreclosure; and

WHEREAS, the real property law provides an extensive notification process for property owners that fall into arrears to help them understand what is happening and their options; and

WHEREAS, the real property tax law also allows installment payment plans for up to 24 months for tax delinquency to ease the burden, and provides special allowances for farm property and military personnel – combined these items can prevent tax foreclosure or extend the timeline for several years; and

WHEREAS, many counties use these statutory allowances to ease the tax foreclosure process and burden, and they also provide additional help including:

Allowing partial payments, monthly and/or quarterly property tax payments for initial property taxes due to ease the payment burden;

- Encourage property owners to seek legal advice on other options so they can retain their property;
- Engage family members, especially for senior citizens, to allow for family members to receive duplicate copies of property tax bills, delinquency notices and other real property items;
- Guide property owners to local and state programs that may offer them assistance to clear up their delinquent taxes;
- Allow property owners to repurchase their property in cases of tax foreclosure, under specified timelines and parameters.

now, therefore, be it

RESOLVED, Wayne County opposes state legislation that can undermine the careful balance that exists in state law related to the tax foreclosure process in New York State, including S.4676/A.4863 currently being considered in the State Legislature; and be it further

RESOLVED, Wayne County is especially concerned of the unintended consequences this legislation may cause by eliminating the current law reverse chronological order for paying tax liens and loosening penalties and interest, that could reduce taxpayer compliance, which can jeopardize the delivery of state and local services, and will unfairly shift the burden of unpaid property taxes to other property owners in the community.

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

**RESOLUTION NO. 365-19: ACCEPTING BIDS FOR CERTAIN REAL PROPERTY PARCELS**

Mrs. Pagano presented the following:

WHEREAS, pursuant to direction from the Finance Committee, the Real Property Tax Director offered to adjoining landowners certain real property parcels which were listed as part of the 2017 foreclosure; and

WHEREAS, bids were requested from adjoining property owners on a total of three (3) parcels with a total of four (4) bids being received, as listed below; and

WHEREAS, the bids have been opened and reviewed by the Finance Committee with each recommending that the bids set forth below be accepted; now, therefore, be it

RESOLVED, the Board of Supervisors has determined that it is in the best interest of the County to accept bids set forth below and such bids are hereby approved; the Chairman of the Board of Supervisors is hereby authorized and directed to execute a quit-claim deed and other required transfer documents for each parcel, subject to the approval of the form by the County Attorney, and to affix the seal of the Board of Supervisors to such deeds; the County Treasurer is hereby authorized and directed to record and deliver the respective deed upon receipt of the payments set forth below:

TOWN	PROPERTY ID	BIDDER	BID PRICE
Town of Rose (seq #944)	72115-00-701252	William I Rodas 4379 High St Clyde NY 14433	\$1,500.00
Town of Walworth (seq #1373)	62113-07-574982	Mark S Carroll 3190 Valley Dr Walworth, NY 14568	\$5,000.00



villages during times of both high and low water by creating great economic hardship, flooding our homes, destroying our infrastructure, eroding our lakeshore properties and compromising public health and public safety; and

WHEREAS, Plan 2014 forces unreasonable and unacceptable changes to Lake Ontario's traditional water levels expecting to satisfy environmental concerns; however, it has become clear that the effect of extreme flooding has resulted in devastation to the natural habitat of fish and wildlife that has been well established for generations; and

WHEREAS, State and Federal funds have been substantially depleted in order to address the catastrophic damage caused by the flooding resulting from IJC Plan 2014, to be compounded with Governor Cuomo committing an additional 300 million dollars of taxpayers money to "harden the shoreline" against anticipated future flooding; and

WHEREAS, in the 53 years leading up to the year 2017, since the implementation of Plan 1958-DD in 1964, flooding has occurred only twice... in the years 1973 and 1993. Since the commencement of IJC Plan 2014 in the year 2017, devastating flooding has occurred in two of the three years of the Plan's existence; and

WHEREAS, the IJC's Plan 2014 to regulate the water levels of Lake Ontario and the St. Lawrence River has failed to accomplish its mission to "continue to protect against extreme high and low water levels"; now, therefore, be it

RESOLVED, that the County of Wayne calls on the IJC to repeal Plan 2014 and requests the IJC reinstate Plan 1958-DD and brings an immediate stop to the unnecessary, catastrophic flooding of Lake Ontario.

RESOLVED, that copies of this resolution be forwarded to President Donald J. Trump, Governor Andrew Cuomo, Congressman John Katko, Senator Charles E. Schumer, Senator Kirsten Gillibrand, Senator Pamela Helming, Assemblyman Brian Manktelow, the New York State Association of Counties, and all others deemed necessary and proper.

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

Mrs. Pagano moved, seconded by Mr. Chatfield, to amend the resolution to include that a certified copy be forwarded to President Donald J. Trump. Motion carried.

Upon roll call, all Supervisors voted Aye. Absent – Supervisor Robusto. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 368-19: ACCEPTING BIDS FOR REAL PROPERTY AUCTION SALE**

Mrs. Pagano presented the following:

WHEREAS, pursuant to Resolution No. 154-19, certain properties acquired by the County by tax deed were sold at public auction sale held Wednesday, June 12, 2019; now, therefore, be it

RESOLVED, that the Board of Supervisors have determined that it is in the best interest of the County to accept the bids listed below and such bids are hereby approved and accepted; the Chairman of the Board of Supervisors is hereby authorized and directed to execute a quit-claim deed, along with any and all other required paperwork or forms for each parcel, subject to approval of the form of the deed by the County Attorney, and to affix the seal of the Board of Supervisors to such deeds; and the County Treasurer is hereby authorized and directed to record and deliver the respective deed upon receipt of the payments required by the terms and conditions of sale:

TOWN	SEQ #	TAX MAP #	BIDDER	BID PRICE
ARCADIA	2	67110-00-477921	Alex P Quku 1442 Welcher Rd Newark, NY 14513	\$ 3,000
ARCADIA	74	68110-17-220131	John Reynolds	\$ 77,500

			8633 Greig St Sodus Point NY 14555	
ARCADIA	105	68111-17-140201	Ken Bond 4781 Whiskey Hill Rd Wolcott, NY 14590	\$ 41,000
GALEN	381X	74112-14-384385		\$ 0
HURON	461	73119-07-743798	Thomas Bryant Ellis Jr 2 Griffith St Rochester, NY 14620	\$ 9,000
LYONS	508	70111-08-750920	Jeffrey A Shelters 8482 Wickham Blvd Sodus Point, NY 14555	\$ 4,250
LYONS	597	71111-09-243736	Trevor Thomas 6685 Pratt Rd Williamson, NY 14589	\$ 15,000
LYONS	631	71112-17-135035	Jeffrey A Shelters 8482 Wickham Blvd Sodus Point, NY 14555	\$ 26,000
MACEDON	682	62111-10-455553	Robert Henry 6385 Roberts Dr Victor, NY 14564	\$152,000
MARION	749	65114-16-879453	Thomas Bryant Ellis, Jr 2 Griffith St Rochester, NY 14620	\$ 67,000
SAVANNAH	1042	76113-00-558209	Lena King 1713 Wilsey Rd Savannah, NY 13146	\$ 5,500
SODUS	1197	69118-00-714189	Dianne E Gerrie 1107 Canopy Trail Webster, NY 14580	\$ 51,000
SODUS	1209	69118-17-235017	Todd Jeffery Rider 100 Throop St, Suite 1 Palmyra, NY 14522	\$ 31,000
SODUS	1243	70117-15-562439	Ray P Knight Jr 191 Fernwood Dr Rochester, NY 14621	\$ 29,000
SODUS	1260	70119-20-767172	Gregory Kochersberger PO Box 18162 Rochester, NY 14618	\$ 3,500
SODUS	1300	71118-00-531287	Steven Durham	\$ 41,000



			4306 Route 414 N. Rose, NY 14516	
WALWORTH	1375	62114-00-699479	Thomas Bryant Ellis Jr 2 Griffith St Rochester, NY 14620	\$ 5,100
WILLIAMSON	1417	64117-00-545851	Benjamin Andrew Marou 7352 Lake Ave Williamson, NY 14589	\$ 4,500
WILLIAMSON	1446	65117-16-936499	Michael Strommer 4812 Congdon Rd Williamson, NY 14589	\$ 24,000
WILLIAMSON	1448	65118-00-291778	Colby Jones 7175 Salmon Creek Williamson, NY 14589	\$ 19,000
WILLIAMSON	1483	67117-05-211906	Roger M Dunlap 2455 Maple Ave Palmyra, NY 14522	\$ 1,300
WOLCOTT	1523	75117-16-867259	Ken Bond 4781 Whiskey Hill Rd Wolcott, NY 14590	\$ 30,000
WOLCOTT	1554x	75117-11-746519	James T Brown 236 Whiskey Hill Rd Clyde, NY 14433	\$ 450
WOLCOTT	1581x	75117-16-911282	Connie L Ross 5974 Jefferson St Wolcott, NY 14590	\$ 550
WOLCOTT	1634	77120-00-999705	William John Griffiths 12003 Wheeler Rd Wolcott, NY 14590	\$ 31,000
WOLCOTT	1650	78118-14-303377	Stacy Smith 4688 Brick Schoolhouse N. Rose, NY 14516	\$ 7,000
WOLCOTT	1661	78118-17-147159	Todd Jeffery Rider 100 Throop St, Suite 1 Palmyra, NY 14522	\$ 18,500

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

After the adoption of this resolution, Chairman LeRoy added that we have been fighting a long, hard battle against Plan 2014; and our County, along with others, has been directly impacted by the decisions of the International Joint Commission. Hopefully with new

Commissioners recently appointed, we will see some positive changes that are needed.

**RESOLUTION NO. 369-19: SETTING DATE FOR A PUBLIC HEARING WITH REGARDS TO THE COUNTY OF WAYNE ENTERING INTO A PAYMENT IN-LIEU OF TAXES (PILOT) AGREEMENT WITH EXELON CORPORATION**

Mrs. Pagano presented the following:

WHEREAS, pursuant to Sections 485 and 490 of the Real Property Tax Law of the State of New York, said laws allows municipalities to exempt nuclear power electric generating facilities from taxation, special *ad valorem* levies, and special assessments imposed by the County.

WHEREAS a payment in-lieu of taxes agreement has been negotiated between Exelon Corporation, owner of the R.E. Ginna Nuclear Power Plant, the County of Wayne, the Wayne Central School District, and the Town of Ontario with respect to the Plant which will provide for said payment in-lieu of taxes; and

WHEREAS, pursuant to said Real Property Tax Law, Section 485 (4), the County is required to hold a public hearing on the proposed Payment In-Lieu of Taxes (PILOT) Agreement prior to executing the same; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby establishes the date for a Public Hearing on the proposed Payment in-lieu of Taxes (PILOT) Agreement for **Tuesday, July 16, 2019 at 9:15 a.m.** at the Wayne County Court House, 26 Church Street, Lyons, New York 14489 in the Supervisors' Chambers on the second floor, to consider public comments concerning the County of Wayne entering into a Payment In-Lieu of Taxes (PILOT) Agreement with Exelon Corporation; and

RESOLVED, copies of the proposed PILOT agreement will be on file with the Clerk of the Board and may be inspected at the County Court House during normal business hours prior to the first publication date of this Notice. All interested parties are invited to attend the public hearing or to provide written comments to the Clerk of the Board, which written comments will be considered at the hearing.

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

**EXECUTIVE SESSION**

Mrs. Crane moved, seconded by Mr. Miller that the Board go into Executive Session to discuss collective negotiations at 9:45 a.m., further requesting that Chris Kalinski, Director of Human Resources and County Attorney Dan Connors be allowed to stay for this closed session. Motion carried.

**REGULAR SESSION**

Mrs. Jacobs moved, seconded by Mrs. Crane that the Board resume regular session at 10:07 a.m.

**OTHER BUSINESS**

Mrs. Pagano moved, seconded by Mr. Chatfield that three (3) resolutions be allowed on the floor under Other Business. Upon roll call, all Supervisors voted aye. Absent – Supervisors Robusto. Motion Carried.

**RESOLUTION NO. 370-19: AUTHORIZATION TO RATIFY AND FUND 2016-2021 COLLECTIVE BARGAINING AGREEMENT WITH THE TEAMSTERS LOCAL 118, DEPUTY SHERIFF UNIT**

Mrs. Crane presented the following:

WHEREAS, the County of Wayne and the Wayne County Sheriff (collectively the "County") and Teamsters Local 118 commenced negotiations on August 16, 2018 for a collective bargaining agreement between the County and Teamsters Local 118 for the deputy sheriffs unit; and

WHEREAS, the negotiations were concluded on May 22, 2019 for an agreement covering the six-year period of January 1, 2016 through December 31, 2021; and

WHEREAS, this Board of Supervisors ("Board") has been notified that the Teamsters Local 118's members have voted in favor of ratification of said agreement; and

WHEREAS, the Board has reviewed the terms of said agreement; now, therefore, be it

RESOLVED, that this Board hereby ratifies the terms of the agreement and authorizes the Board's Chairman and the Wayne County Sheriff to execute the Agreement on behalf of the County; and be it further

RESOLVED, that this Board hereby approves the appropriation of any additional funds necessary to implement the terms of said agreement.

Mr. Verno moved the adoption of the resolution. Seconded by Mr. Verkey. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Robusto. The Chairman declared the Resolution adopted.

Mr. Paul Markowitz, President of Teamsters Local 118, requested to address the full board, outlining the process taken to produce a new contract agreement.

Supervisor Crane noted that she had served for many years as a team negotiator for the Board and NEVER had to deal with the mudslinging by the Teamsters that took place during this negotiation process. This process was very disheartening to Board members and at times, highly unprofessional. We certainly hope that the next time around, negotiations with the Teamsters will be more amiable.

Supervisor Spickerman agreed with Mrs. Crane, noting that parts were unacceptable, disrespectful and hurtful. This process was not a win/lose situation, it was about being fair to the tax payers of this County.

Chairman LeRoy closed this comment period by adding that social media played an ugly roll in all of this when it shouldn't have; however, it's time to move forward.

**RESOLUTION NO. 371-19: AUTHORIZATION TO ENTER INTO COLLECTIVE BARGAINING WITH THE WAYNE COUNTY SHERIFF'S LIEUTENANTS ASSOCIATION**

Mrs. Crane presented the following:

WHEREAS, the Wayne County Sheriff's Lieutenants Association (Association) collective bargaining agreement expired on December 31, 2015; and

WHEREAS, the Association has notified the County that it desires to negotiate a successor agreement; and

WHEREAS, Wayne County also desires to negotiate this agreement; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to appoint three members of the Board, the County Administrator, the County Sheriff or his designee, and the Director of Human Resources to be members of the County's negotiating team; and be it further

RESOLVED, that the Board of Supervisors that the Board of Supervisors hereby designates counsel from the firm of Hancock Estabrook to be the County's chief spokesman and negotiator for these negotiations.

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

**RESOLUTION NO. 372-19: AUTHORIZATION TO RATIFY AND FUND 2019-2023 COLLECTIVE BARGAINING AGREEMENT WITH THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC, LOCAL 859 GENERAL UNIT 859**

Mrs. Crane presented the following:

WHEREAS, the County of Wayne ("County") and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Wayne County Local 859, Wayne County Employee's Unit 9100-02 ("CSEA") commenced negotiations on January 17, 2019 for a successor agreement to the collective bargaining agreement between the County and CSEA which covered the period of January 1, 2014 through December 31, 2018; and

WHEREAS, the negotiations were concluded on May 29, 2019 for a successor agreement covering the period of January 1, 2019 through December 31, 2023 for the CSEA General Unit; and

and WHEREAS, this Board of Supervisors ("Board") has been notified that CSEA's General Unit members have voted in favor of ratification of the successor agreement; and

WHEREAS, the Board has reviewed the terms of said agreement; now, therefore, be it RESOLVED, that this Board hereby ratifies the terms of the successor agreement and authorizes the Board's Chairman to execute the Agreement on behalf of the County; and be it further

RESOLVED, that this Board hereby approves the appropriation of any additional funds necessary to implement the terms of said successor agreement.

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

Prior to adjournment, Chairman LeRoy announced that the scheduled Capital Plan Meeting will be meeting immediately after this session, in the first floor conference room.

**ADJOURNMENT:**

The next scheduled meeting of the Board is **Tuesday, July 16, 2019 at 9:00 a.m.**

Mr. Kolczynski moved, seconded by Mrs. Jacobs that the board adjourn at 10:19 a.m. Carried.

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