

10th Day  
Tuesday, July 15, 2014  
9:00 a.m.

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

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

Upon roll call, all Supervisors were present. County Administrator James Marquette and County Attorney Daniel Connors were also present for this morning session.

**APPROVAL OF MINUTES:**

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

**COMMUNICATIONS:**

The Chairman requested a motion to waive the reading of the following communications received and to approve them as listed. A copy of the Sheriff's Cash Receipts Report dated June 20, 2014 totaling \$13,833.15 was received and filed.

Copy of a letter from Venesky & Company Accounting and Consulting Services was received noting the completion of the annual Indirect Cost Recovery Project, including an analysis entitled 'Engagement Highlights/Project Summary' which outlines the yearly calculations and actions taken by their company and the County.

A letter from the Division of Homeland Security and Emergency Services was received to announce that Wayne County has been awarded \$89,253.00 to support the application submitted for funding the Public Safety Answering Point (PSAP) Sustainment Grant, with no cost share associated with this grant.

A certified resolution was received from the Ontario County Board of Supervisors, regarding the Endorsement of Re-appointments to the Finger Lakes Workforce Investment Board.

A copy of a certified resolution from the Ontario County Board of Supervisors entitled, "Approval of Administrative Agreement", was received.

Copies of the 'Financial Executive Summary for the Year ended December 31, 2013', including a report entitled 'Communicating Internal Control Related Matters Identified in an Audit', was received from Raymond F. Wager, CPA. These Documents were reviewed by the Finance Committee.

A copy of a three-page letter, signed by Lana Pollack, Chair of the US Section from the International Joint Commission (IJC), acknowledging Resolution No. 444-13 sent to the Commission one year ago, opposing PLAN 2014 was received. A hard copy of the Plan was also attached.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments, including the June warrants for accounts payable totaling \$4,097,888.76 was received and filed.

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

**PRIVILEGE OF THE FLOOR:**

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

**PROCLAMATIONS**

Supervisor Groat, Chairman of the Health and Medical Services Committee, read the

proclamation for World Breastfeeding Week 2014 - August 1st-7th 2014

Chairman Hoffman introduced Margaret Churchill, Executive Director of the Wayne County Industrial Development Agency, David Richards, Chief Financial Officer and Gail Bedell.

Mrs. Churchill presented the framed proclamation for the Business Builders 5th Anniversary to Gail Bedell and Dave Richards; and noted a recent quote from Ms. Contreras-Sweet, head of the U.S. Small Business Administration, stating "the counseling is almost more important than the lending". She and Gail Bedell had a meeting about 6 years ago to discuss financial literacy, the workforce pipeline, counseling for start-ups and other issues and challenges they both saw small business facing. At that time, Ms. Bedell was president of Reliant Community Federal Credit Union. The Business Builders came out of that meeting. SCORE of Greater Rochester worked with Wayne County Business Builders to train the volunteers; Dave Richards, CFO of the Wayne County IDA took point to get the group together. Today they provide a valuable and active service to business that the small staff of the IDA would have trouble filling. Macedon and Sodus both provide space for meetings, along with the IDA. The proclamation expresses the thanks owed to the volunteers—Wayne County Business Builders

**SCHEDULED BUSINESS:**

Frank Sciremammano, PhD, spoke to the Board about the International Joint Commission's recommendation that PLAN2014 be approved as the water levels set for Lake Ontario. PLAN2014 was not a recommendation of a five-year study done in 2006 on various water level proposals. PLAN2014 only reflects damage to south shore of Lake Ontario; however actual damages are not known. Dr. Sciremammano said PLAN2014 will result in extreme water level variances. He believes the damages stated in the Plan are understated and are not funded. If implemented the Plan would result in a loss of jobs, property tax, damages to local parks and wastewater sewer facilities. Environmental groups have been very active in the preparation of PLAN2014, stating the change in water levels will enhance the shoreline environment by returning the waterway to more natural levels. For 50 years individuals and commerce has built and developed along the water front based on set IJC water levels; the recommended changes will devastate the current Wayne County shoreline.

Dr. Sciremammano answered questions from Board Members pertaining to the IJC board membership and how individuals become members. Other concerns regarding the inability of shoreline residents to purchase flood insurance coverage were discussed; in addition to possible legal action against the Army Corp. of Engineers for man-made damages that would not be covered under flood insurance policies.

Speaker Chris Tertinek, Mayor of the Village of Sodus Point, addressed the Board regarding water flow and lake levels on Lake Ontario should the International Joint Commissions PLAN2014 be approved. Present water levels set by the IJC allow for a four foot variance in the levels. The proposed plan would set a water level range between seven and eleven feet. The proposal is driven by proposed enhancements to the local wetland environment. Mr. Tertinek is concerned with the increase of flooding along the Wayne County shoreline, in particular Sodus Point. Several photos of the Sodus Point area during past flooding events were displayed. There is concern the proposed change in water levels could shut down local water systems, reduce area property values—due to consistent flooding issues during high water levels, shut down waste water treatment facilities, decrease waterfront property values, and result in higher insurance premiums. The Plan does not have a stipulation to pay for damage mitigation. This matter will be determined by the Federal Governments of the United States and Canada.

Chairman Hoffman thanked both Dr. Sciremammano and Mayor Tertinek for attending this board session and making their presentations to the Board today regarding this important matter.

**RECESS:**

Chairman Hoffman announced that the Board would take a short break at 9:55 am, for today's presenters to answer questions from the local reporters regarding Plan2014.

**REGULAR SESSION:**

The Board resumed regular session at 10:05 a.m.

**PUBLIC HEARINGS:**

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

The Clerk read the title of following Notice of Public Hearing regarding a Local Law providing for changes in the salaries of certain County officers during their term of office.

This Public Hearing was advertised and scheduled for 9:15 a.m., however, the actual notice was read at 10:06 a.m.

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

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on **Tuesday, July 15, 2014 at 9:15 a.m.** in the Supervisors' Chambers in the County Court House, 26 Church Street, 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 2014**

A Local Law providing for changes in the salaries of certain County officers during their term of office.

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

SECTION 1. The annual salary of the County Treasurer shall be \$75,172 effective January 1, 2014.

SECTION 2. The annual salary of the County Clerk shall be \$77,308 effective January 1, 2014.

SECTION 3. The annual salary of the Sheriff shall be \$92,497 effective January 1, 2014.

SECTION 4. The annual salary of the County Coroner shall be \$41,060 effective January 1, 2014.

SECTION 5. The annual salary of the Public Defender shall be \$89,321 effective January 1, 2014.

SECTION 6. The annual salary of the County Administrator shall be \$124,172 effective January 1, 2014.

SECTION 7. The annual salary of the County Auditor shall be \$65,975 effective January 1, 2014.

SECTION 8. The annual salary of the Director of Real Property Tax Services shall be \$61,966 effective January 1, 2014

SECTION 9. The annual salary of the County Attorney shall be \$97,097 effective January 1, 2014.

SECTION 10. The annual salary of the Human Resource Director shall be \$87,677 effective January 1, 2014.

SECTION 11. The annual salary of the Election Commissioner shall be \$11,638 effective January 1, 2014.

SECTION 12. The annual salary of the Election Commissioner shall be \$11,638 effective January 1, 2014.

SECTION 13. The annual salary of the Commissioner of Social Services shall be \$91,515 effective January 1, 2014.

SECTION 14. The annual salary of the Superintendent of Public Works shall be \$93,783 effective January 1, 2014.

SECTION 15. An incumbent holding a position subject to the provisions of Sections 1 through 13 of this local law at the time during the period from the effective date of the salary increase for such position until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefore, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.

SECTION 16. If any clause, sentence, paragraph, part or provision of this local law shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part or provision thereof directly involved in the controversy in which such judgment is rendered.

SECTION 17. This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof, in the manner provided by law.

SECTION 18. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2014.

At 10:07 a.m., Chairman Hoffman opened the floor for the public, stating that people interested in making comment should come forward to the podium to address the Board. Further, he requested that they state their name and address for the record.

There was no public comment at this time.

After an additional request for comment was made, Chairman Hoffman asked for a motion to close the hearing.

Mrs. Crane moved, seconded by Mr. Smith, that the hearing be closed at 10:08 a.m. Upon roll call, carried.

The Clerk read the title of the second Notice of Public Hearing scheduled this morning at 10:10 a.m., regarding a Local Law to amend the Longevity Payment Schedule for certain Wayne County employees:

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

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on Tuesday, July 15, 2014, at 9:20 a. m. in the Supervisors' Chamber in the County Court House, Lyons, New York, on the following proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK  
INTRO NO 5/LOCAL LAW NO. \_\_ FOR THE YEAR 2014**

A local law amending the longevity payment schedule for non-elected County Officers and employees not subject to collective bargaining agreements, as established by local law No. 7-1984 and amended by Local Law No. 1-1986, Local Law No. 5-1988, Local Law No. 5-1993, Local Law No. 3-1994, Local Law No. 4-1995, Local Law No. 1-1998, Local Law No. 3-1998 and Local Law No. 3-2001.

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

follows:

**SECTION 1.**

Section 1 of Local law No. 7-1984 entitled "A Local law Establishing Longevity Payment Schedule for Non-Elected County Officers and Employees not Subject to Collective Bargaining Agreements", as amended by Local Law No. 1-1986, Local Law No.5-1988, Local Law No. 5-1993, Local Law No. 3-1994, Local Law No. 4-1995, Local Law No. 1-1998, Local Law No. 3-1998 and Local Law No. 3-2001 is hereby amended to read as follows:

**Section 1.**

(a) Except as provided in subdivision (b) of Local Law No. 3-1988 as amended, effective from and after January 1, 2014 and continuing annually thereafter, all full time, non-elected County officers and employees not subject to collective bargaining agreements shall receive, in addition to adopted salary, longevity payments upon completion of 5, 7, 10, 13, 16, 20, and 25 years of full-time continuous service with the County in accordance with the following schedule:

	<u>2014</u>
After 5 years	\$350
After 7 years	\$550
After 10 years	\$1,000
After 13 years	\$1,250
After 16 years	\$1,500
After 20 years	\$1,750
After 25 years	\$2,250

**SECTION 2.**

This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof in the manner provided by law.

**SECTION 3.**

This amended local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2014.

Chairman Hoffman opened the floor for public comment for this hearing. There was no interest from the public to made comment at this time.

An additional request for public comment was made by the Chairman. Being none, he asked for a motion to close the hearing at 10:11 a.m.

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

**RESOLUTIONS:**

**RESOLUTION NO. 434-14: AUTHORIZE COUNTY TREASURER EXECUTE AGREEMENT FOR ACCOUNTING SERVICES WITH RAYMOND F. WAGER CPA PC**

Ms. Park presented the following:

WHEREAS, the County Treasurer seeks to improve operations at year end; and

WHEREAS, Raymond F. Wager CPA PC has offered to assist the County Treasurer at an estimated fee of \$85 per hour to complete the following services:

1. Assist with the year-end closing process to include adjusting entries.
2. Analysis and discussion of software limitations with your IT Department and/or representatives.
3. Training of various County employees regarding their role in the year end audit providing necessary documentation.

now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to execute an agreement with Raymond Wager, CPA PC for to assist with providing year-end closing services and training at a rate of \$85 per hour at a cost not to exceed \$2,000.00.

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

**RESOLUTION NO. 435-14: AUTHORIZATION TO TRANSFER FUNDS FROM THE CONTINGENT ACCOUNT TO THE FEES FOR SERVICES NON-EMPLOYEES LINE ITEM IN THE JUDGMENT & CLAIMS ACCOUNT (A1930) & AUTHORIZATION TO SIGN RETAINER AGREEMENT**

Ms. Park presented the following:

WHEREAS, the County of Wayne on occasion has need to engage the services of medical professionals to perform an Independent Medical Evaluation (IME) in cases being handled by the County; and

WHEREAS, said Independent Medical Evaluations (IME) are asked to be done on behalf of the County and as a service to the County, and fees for such Independent Medical Evaluations (IME) must be paid by the County; and

WHEREAS, there is presently a need for an Independent Medical Evaluation (IME) to be done in relation to a matter involving a County Employee pursuant to Civil Service Law, Section 72; now therefore be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute said Retainer Agreement for an Independent Medical Evaluation; subject to the County Attorney's approval as to form and content; and be it further

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

**A1930 – JUDGMENTS & CLAIMS:**

\$6,000 to .54500 Fees for Services Non-Employees

**A1990- CONTINGENT FUND GEN:**

\$6,000 from .54000 Contractual Expense

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

**RESOLUTION NO. 436-14: AUTHORIZATION TO SET SALARY FOR POSITIONS IN DISTRICT ATTORNEY'S OFFICE AND ABOLISH ONE PART TIME ASSISTANT DISTRICT ATTORNEY POSITION**

Mr. LeRoy presented the following:

WHEREAS, the 3rd part time Assistant District attorney position held by Elizabeth Sammons will become vacant due to resignation; and

WHEREAS, currently the 3<sup>rd</sup> part time Assistant District Attorney has an annual salary of \$30,085; and

WHEREAS, it would be more efficient and less costly to have current staff assume the duties rather than a new hire; now, therefore, be it

RESOLVED, that the position of 3<sup>rd</sup> Assistant District Attorney PT is hereby abolished effective August 18, 2014; and be it further

RESOLVED, that the position of 5th Assistant District Attorney PT, Michael Calarco, current annual salary set at \$32,499, is increased by \$10,000 to \$42,499 effective August 18, 2014; and be it further

RESOLVED, that the position of 4th Assistant District Attorney PT, Cynthia Kukuvka, current annual salary set at \$32,499, is increased by \$10,000 to \$42,499 effective August 18, 2014; and be it further

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

**A1165 – District Attorney:**

\$7,692 from .51028 Asst District Attorney 3<sup>rd</sup> PT

\$3,846 to .51030 Asst District Attorney 4<sup>th</sup>

\$3,846 to .51032 Asst District Attorney 5<sup>th</sup>

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

all Supervisors voted Aye. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 437-14: AUTHORIZATION TO DECLARE EQUIPMENT SURPLUS FOR DISTRICT ATTORNEY**

Mr. LeRoy presented the following:

WHEREAS, the Wayne County District Attorney wishes to surplus and dispose of the following piece of equipment:

Surplus

- Sony Trinitron 27 inch color television, SN# 9032649, good working condition; and Bretford television cart, model# BBUL4440-P5, now, therefore, be it RESOLVED, that the Wayne County District Attorney is hereby authorized to surplus a Sony Trinitron 27 inch color television, SN # 3032649 and a Bretford television cart, model# BBUL4440-P5 as per the Wayne County Equipment Surplus policy.

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

**RESOLUTION NO. 438-14: AUTHORIZATION TO UPGRADE THE BUTLER TOWER FAA TYPE D-1 OBSTRUCTION LIGHTING SYSTEM**

Mr. LeRoy presented the following:

WHEREAS, the Butler Communications tower bid requirement was originally specified to have a Xenon lighting system installed to satisfy Federal Aviation Administration requirements; and

WHEREAS, since that time, Wayne County has standardized on LED lighting technology because of the lower cost of ownership over the life of the system; and

WHEREAS, the cost increase of \$2,498 will be paid by existing grant funds; now, therefore, be it

RESOLVED, the Department of Emergency Management is authorized to issue a change order to Fred A. Nudd Corporation to purchase and install a LED lighting system at the Butler Communications tower, at an additional cost not to exceed \$2,498 to be paid using currently available grant funds.

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

**RESOLUTION NO. 439-14: AUTHORIZATION TO EXECUTE A THREE YEAR CONTRACT WITH WEST PUBLISHING FOR ELECTRONIC RESEARCH ACCESS THROUGH WESTLAW NEXT AND FOR SPECIFIED LEGAL PUBLICATIONS.**

Mr. LeRoy presented the following:

WHEREAS, pursuant to Wayne County Board approval by Resolution 420-11, in August 2011 the Wayne County Public Defender's Office entered into a three year contract, (West Contract Identification Number 195099) with West Publishing, providing access to electronic research and purchases from West Publishing for various legal books; and

WHEREAS, the three year term of contract 195099 between West Publishing and the Wayne County Public Defender's Office is about to expire; and

WHEREAS, the Wayne County Public Defender has researched other legal publishing companies, has requested and reviewed a proposed three year contract with West Publishing (West Contract Identification Number 568308) and has determined that West Publishing provides the most beneficial resources at a comparable contract rate, and is hereby requesting approval to enter into a three year contract with West Publishing for said electronic research services and various legal book and publications; now, therefore, be it

RESOLVED, that upon the review and approval of West Contract Number 568308 by the Wayne County Attorney, the Wayne County Chairman of the Board of Supervisors is hereby authorized to execute the three year contract with West Publishing; and it is further

RESOLVED, that the Wayne County Public Defender's Office is hereby authorized to pay

to West Publishing from their budget line number 54472 the sums set forth in the contract for initial purchase and periodic maintenance of the services and publications provided therein by West Publishing.

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

**RESOLUTION NO. 440-14: AUTHORIZATION TO ENTER INTO THE NYS OFFICE OF HOMELAND SECURITY AND EMERGENCY SERVICES (DHSES) 2014 HAZ-MAT GRANT PROGRAM**

Mr. LeRoy presented the following:

WHEREAS, Seneca County will be the submitting partner and Wayne, Ontario and Yates will be participating counties in the 2014 DHSES HazMat Grant Program; and

WHEREAS, an assessment has identified a need for various equipment, training aids and supplies; and

WHEREAS, this grant allows for the purchase of the same by the submitting partner, for the benefit of all participating counties, at no Wayne County cost; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign the necessary documentation to establish Wayne County as a participating partner in this grant, subject to the review and approval of the County Attorney.

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

**RESOLUTION NO. 441-14: AUTHORIZATION TO ENTER INTO AGREEMENT WITH SIMPLEX GRINNELL TO PROVIDE QUARTERLY SPRINKLER INSPECTION SERVICES**

Mr. Miller presented the following:

WHEREAS, the following buildings have sprinkler systems installed in them and require quarterly inspections and testing:

Health Services Building  
Wayne County Jail  
Public Safety Building  
Hall of Justice  
Social Services  
Nursing Home

and

WHEREAS, the Superintendent of Public has received the price quotes from the following vendors to provide this service for two years:

Davis-Ulmer	\$6,240.00
ES Systems	\$8,461.40
Simplex Grinnell:	\$5,740.00

and

WHEREAS, Simplex Grinnell has provided the lowest responsible bid for the inspection services; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Simplex Grinnell, for a two-year contract period from September 1, 2014 to August 31, 2016 at a cost of \$5,740.00.

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

**RESOLUTION NO. 442-14: AUTHORIZATION TO AWARD BIDS FOR FIRE EXTINGUISHER AND KITCHEN SUPPRESSION INSPECTION, TESTING AND REPLACEMENT SERVICES**

Mr. Miller presented the following:

WHEREAS, the Wayne Public Works Department solicited for bids for a two year contract for inspection, testing services and replacement of fire extinguishers and kitchen suppression

systems; and

WHEREAS, bids were received and publicly opened by the Clerk of the Board on April 24, 2014; and

WHEREAS, the following bids were received:

	<b>Bid Item #1</b> Fire Extinguisher Bid	<b>Bid Item #2</b> Kitchen Suppression
<b>Millennium Fire Extinguisher</b> 1619 Daboll Road Clyde, NY 14433	\$1,450.00	NO Bid
<b>Wayne Fire Extinguisher</b> 1909 Shuler Rd Lyons, NY 14489	\$1,492.00	NO Bid
<b>Churchville Fire Equipment</b> 340 Sanford Road South Churchville, NY 14428	\$1,492.00	\$1,200.00
<b>Life Safety Engineered System, Inc</b> 60 Sonwil Drive Buffalo, NY 14225	\$2,238.00	\$1,440.00
<b>Fire Fighting Equipment Co.</b> 206 S. George St Rome, NY 13440	\$2,200.00	\$816.00

WHEREAS, the County has the option to award bid items separately or combined; 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 Millennium Fire Extinguisher for Fire Extinguisher Inspection and testing for a cost of \$1,450.00 for the first two years of service; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Fire Fighting Equipment Co. for Kitchen Suppression inspection and testing for a cost of \$816.00 for the first two years of service.

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

**RESOLUTION NO. 443-14: AUTHORIZATION TO ENTER INTO AGREEMENT WITH LABELLA ASSOCIATES FOR THE DESIGN OF THE MACEDON CENTER ROAD BRIDGE**

Mr. Miller presented the following:

WHEREAS, the Macedon Center Road bridge over Red Creek in the Town of Macedon currently has a yellow safety flag based on the condition of the steel piles; and

WHEREAS, due to the magnitude of the required repairs and the age of the structure, it is appropriate to replace the entire structure; and

WHEREAS, it is anticipated that this construction will occur in 2015 and the costs associated with the design and construction of this bridge will be paid for with CHIPs funds; and

WHEREAS, the Superintendent of Public Works has solicited for proposals to provide sufficient construction documents for the Highway department to reconstruct this bridge; and

WHEREAS, the proposal submitted by LaBella Associates with a not-to-exceed cost of

\$10,500 has been selected; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to sign an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with LaBella Associates for the not to exceed cost of \$10,500.00 associated with the engineering tasks for the Macedon Center Road bridge project.

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

**RESOLUTION NO. 444-14: AUTHORIZATION TO AMEND AGREEMENT WITH BARTON AND LOGUIDICE FOR LIMITED CONSTRUCTION PHASE SERVICES FOR THE 9 PEARL STREET ELEVATOR PROJECT**

Mr. Miller presented the following:

WHEREAS, per resolution 318-13 Wayne County enter into an agreement with Barton & Loguidice to provide design services for the 9 Pearl St. Elevator Project; and

WHEREAS, the County is proceeding with the project and will need Barton & Loguidice for limited construction phase services throughout the duration of the work; and

WHEREAS, Barton & Loguidice has provide a proposal to the Superintendent of Public Work for a cost not to exceed \$13,500.00; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to amend the agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Barton & Loguidice for limited construction services on the 9 Pearl Street Elevator Project for a cost not to exceed \$13,500.00.

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

**RESOLUTION NO. 445-14: AUTHORIZATION TO SIGN PROPOSAL FOR CARPET INSTALL IN HEALTH SERVICES BUILDING**

Mr. Miller presented the following:

WHEREAS, the Public Health Department has budgeted and requested to have carpet replaced in three rooms within the Wayne County Health Service Building; and

WHEREAS, the carpet material will be purchase separately off from State Contract; and WHEREAS, Corporate Floors U.S.A has provided a proposal for labor to install said carpet of \$1,927.00; now, therefore, be it

RESOLVED, that the Superintendent of Public Works is authorization to sign the proposal with Corporate Floors for a cost not to exceed \$1,927.00 for installation of carpet in the Health Service Building.

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

**RESOLUTION NO. 446-14: AUTHORIZATION FOR PROCESS TO APPROVE CHANGE ORDERS OF LESS THAN \$5,000 ON THE 9 PEARL STREET ELEVATOR PROJECT**

Mr. Miller presented the following:

WHEREAS, the elevator project at 9 Pearl Street has a defined project duration that must be adhered to, and

WHEREAS, every effort will be made to avoid change orders, but it is possible that change orders may occur in the work of any of the four building trades; and

WHEREAS, it is beneficial to allow the Superintendent of Public Works to sign change orders so that the project does not suffer from time delays; now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Superintendent of Public Works to approve individual change orders that increase the project cost up to \$5,000 each upon the recommendation of the County Administrator and the Chairman of the Public Works Committee; and be it further

RESOLVED, that the County Administrator and Superintendent of Public Works shall present a monthly record of any change orders that have been approved to the Board of Supervisors; and be it further

RESOLVED, that any change order that increases the project cost in excess of \$5,000 each must be approved in advance by the Board of Supervisors.

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

**RESOLUTION NO. 447-14: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH SJB SERVICES, INC FOR SPECIAL INSPECTION & TESTING SERVICES FOR THE 9 PEARL STREET ELEVATOR PROJECT**

Mr. Miller presented the following:

WHEREAS, Wayne County is processing with the installation of an elevator at 9 Pearl St.; and

WHEREAS, the design and specification call out for a few special inspections and tests to be preform during the project to assure the quality of materials and workmanship; and

WHEREAS, the County is responsible for the costs of the inspections; and

WHEREAS, the Superintendent of Public Works has received a proposal from SJB Services, Inc for a cost not to exceed \$5,000.00; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to enter into a agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with SJB Services for special inspection and testing services on the 9 Pearl Street Elevator Project for a cost not to exceed \$5,000.00.

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

**RESOLUTION NO. 448-14: AUTHORIZE BUS EXPENDITURE FOR POLICY-MAKER TOUR BY AG DEVELOPMENT BOARD**

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Agricultural Development Board, Cooperative Extension, Soil & Water District and Farm Bureau are sponsoring a policy-maker breakfast and tour of farms throughout the County; and

WHEREAS, the Board will be using the services of either a Newark Central School bus or two WATS buses to conduct the tour, which will cost up to \$350; and

WHEREAS, the Wayne County Agricultural Development Board has requested assistance from the County; now, therefore, be it

RESOLVED, that the Planning Department is authorized to pay \$350 to cover the costs associated with WATS transportation for the Wayne County farm tour; and be it further

RESOLVED, that these funds shall be obtained from Account No. A8020.4403 (Ag Districts).

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

**RESOLUTION NO. 449-14: APPROVAL OF PROGRAM GUIDELINES FOR THE WAYNE COUNTY LATERAL CONNECTION AND WELL/SEPTIC REPAIR ASSISTANCE PROGRAM**

Mr. Spickerman presented the following:

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

WHEREAS, this grant is intended to fully fund a project to install lateral connections or improve/repair septic and/or wells on properties in Wayne County; and

WHEREAS, Wayne County accepted this grant through resolution 326-14; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors approve of the Program

Guidelines, pending approval of the County Attorney as to form and content; and be it further  
RESOLVED, that the proposed Guidelines are on file with the Clerk of the Board of Supervisors for review by the Supervisors and, upon approval by the Board of Supervisors, will be publically available for inspection at the Economic Development and Planning Department, each Town Clerk's Office and on the Economic Development and Planning website; and be it further

RESOLVED, that the Economic Development and Planning Department is authorized to begin public outreach and acceptance of applications in accordance with the Program Guidelines; and be it further

RESOLVED, that the Economic Development and Planning Department is authorized to begin advertisement and review of applications from contractors interested in bidding on individual projects in accordance with the Program Guidelines.

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

**RESOLUTION NO. 450-14: OPPOSING THE IMPLEMENTATION OF INTERNATIONAL JOINT COMMISSION (IJC) PLAN2014 WHICH WILL CAUSE CATASTROPHIC DAMAGE TO THE LAKE ONTARIO SHORELINE IN WAYNE COUNTY AND DAMAGE THE ECONOMIC VITALITY OF WAYNE COUNTY AND REQUESTING FEDERAL ELECTED AND APPOINTED OFFICIALS TO ASSIST WITH OPPOSING THE ADOPTION AND IMPLEMENTATION OF PLAN2014**

Mr. Spickerman presented the following:

WHEREAS, the International Joint Commission (IJC) announced that their preferred option for regulating water levels and flows of Lake Ontario and the St. Lawrence River is PLAN2014, stating that it provides more natural water level fluctuations while reducing the damage from extreme high and low water level events to nearly the same extent as the current plan; and

WHEREAS, PLAN2014 will make the higher water levels significantly higher and the lower levels significantly lower than what has been experienced for the last 50 years along the Lake Ontario shoreline and its embayments; and

WHEREAS, according to a peer review conducted by the National Academy of Sciences, the potential environmental benefits of the PLAN2014 are based upon speculative and unreliable research; and

WHEREAS, projected lake levels under the proposed Plan will result in increased duration and frequency of higher and lower water, causing significant damage to Lake Ontario shoreline properties; and

WHEREAS, the increased catastrophic damage is estimated to be at over \$2.2 million per year, including docks, marinas, boat launches, parks, public infrastructure (e.g. water and sewer systems) and private property; and

WHEREAS, the IJC has clearly stated that 100% of the hardship will be borne by the south shore (a violation of the treaty) and there will be no funding available for mitigation; and

WHEREAS, Wayne County residents who own property or businesses along the Lake Ontario shoreline, including its bays, tributaries and ponds, have voiced their concern about the proposed change in lake levels that will result in significant damage to their properties, thereby lowering of their assessed property valuation; and

WHEREAS, the five lakeshore towns in Wayne County: Huron, Ontario, Sodus (including the Village of Sodus Point), Williamson and Wolcott will be directly impacted by this manmade disaster; and

WHEREAS, the taxable value of properties in these five towns comprise 42% of the total assessed valuation of the entire County; and

WHEREAS, the 2013 combined taxable value of the Lake Ontario lakefront properties in Wayne County is \$405,353,077, or 8.7 percent of the total taxable real property value in Wayne County; and

WHEREAS, as these properties are damaged from the altered Lake levels, their assessed

valuation may be impacted shifting the property tax burden to all other properties in the remainder of the County; and

WHEREAS, the increased risk of damage to these properties will likely cause currently high flood insurance premiums to become even more costly; and

WHEREAS, in addition, there will be a corresponding decrease in business activity that is subject to Sales Tax; the loss of business activity is estimated to be \$18.4 million annually from recreational boaters and fishermen, both locally-based and those traveling internationally, will occur; and

WHEREAS, the loss in Sales Tax Revenue to Wayne County is estimated to be in excess of \$735,000 per year and this loss in Sales Tax Revenue will further impact all Wayne County property taxpayers because the decrease in sales tax collected will result in an increase in Wayne County property taxes; and

WHEREAS, the combined impact of the reduced taxable value to Lakeshore Properties and the loss of Sales Tax Revenue will impact all Wayne County Property taxpayers by raising the County Property Tax Rate between 4.2 percent to 5.6 percent depending upon the ultimate impacts on the reduced assessed value on the affected properties; and

WHEREAS, this increase in the Property Tax Rate will impact the taxes on a \$100,000 home in all of Wayne County between \$33.46 per year to \$44.65 per year; and

WHEREAS, Town Governments and School Districts that have Lake Ontario shoreline properties in their respective property tax bases will also be greatly impacted by the reduced taxable property assessments in their respective jurisdictions; and

WHEREAS, it is estimated that taxpayers in the Towns of Huron, Ontario, Sodus, Williamson, and Wolcott will likely experience increases in Town taxes as follows:

Huron	up to 29.9 percent increase
Ontario	up to 2.7 percent increase
Sodus	up to 10.1 percent increase
Williamson	up to 5 percent increase
Wolcott	up to 11.9 percent increase

WHEREAS, property taxpayers in the School Districts of North Rose-Wolcott, Wayne Central, Williamson Central, Sodus Central, and Red Creek within the five towns will also be impacted; the impacts will vary by School District and Town and are not included above; and

WHEREAS, the environmental, economic, and increased tax burden on all of the citizens of Wayne County, especially those in the Towns of Huron, Ontario, Sodus, Williamson, and Wolcott are unacceptable to the Wayne County Board of Supervisors; and

WHEREAS, New York State Senator Michael Nozzolio and Assemblyman Robert Oaks have already authored letters to Federal Representatives expressing opposition to implementation of PLAN2014; and

WHEREAS, Wayne County residents and elected officials are firmly committed to protecting the quality of waters, streams and harbors of Lake Ontario, the home for some of the best sport fishing, pleasure sailing, power-boating and recreational enjoyment in the world; now, therefore be it

RESOLVED that the Wayne County Board of Supervisors does herewith oppose adoption and implementation of PLAN2014 as proposed by the International Joint Commission in its entirety as it will cause a man-made disaster and recurring catastrophic events; and be it further

RESOLVED, that the Wayne County Board of Supervisors requests assistance from Senator Charles E. Schumer, Senator Kirsten Gillibrand, Congressman Dan Maffei, Congresswoman Louise Slaughter and Congressman Chris Collins, U.S. Secretary of State John Kerry, the U.S. Department of Transportation, and the St. Lawrence Seaway Commission to block adoption and stop implementation of PLAN2014.

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

**RESOLUTION NO. 451-14: REQUESTING THE ASSISTANCE OF GOVERNOR ANDREW**

#### **CUOMO IN OPPOSING ADOPTION OF PLAN2014**

Mr. Spickerman presented the following:

WHEREAS, the International Joint Commission (IJC) announced that their preferred option for regulating water levels and flows of Lake Ontario and the St. Lawrence River is PLAN2014, stating that it provides more natural water level fluctuations while reducing the damage from extreme high and low water level events to nearly the same extent as the current plan; and

WHEREAS, PLAN2014 will make the higher water levels significantly higher and the lower levels significantly lower than what has been experienced for the last 50 years along the Lake Ontario shoreline and its embayments; and

WHEREAS, according to a peer review conducted by the National Academy of Sciences, the potential environmental benefits of the PLAN2014 are based upon speculative and unreliable research; and

WHEREAS, projected lake levels under the proposed Plan will result in increased duration and frequency of higher and lower water, causing significant damage to Lake Ontario shoreline properties; and

WHEREAS, the increased catastrophic damage is estimated to be at over \$2.2 million per year, including docks, marinas, boat launches, parks, public infrastructure (e.g. water and sewer systems) and private property; and

WHEREAS, the IJC has clearly stated that 100% of the hardship will be borne by the south shore (a violation of the treaty) and there will be no funding available for mitigation; and

WHEREAS, Wayne County residents who own property or businesses along the Lake Ontario shoreline, including its bays, tributaries and ponds, have voiced their concern about the proposed change in lake levels that will result in significant damage to their properties, thereby lowering of their assessed property valuation; and

WHEREAS, the five lakeshore towns in Wayne County: Huron, Ontario, Sodus (including the Village of Sodus Point), Williamson and Wolcott (and the Village of Sodus Point), will be directly impacted by this manmade disaster; and

WHEREAS, the taxable value of properties in these five towns comprise 42% of the total assessed valuation of the entire County; and

WHEREAS, the 2013 combined taxable value of the Lake Ontario lakefront properties in Wayne County is \$405,353,077, or 8.7 percent of the total taxable real property value in Wayne County; and

WHEREAS, as these properties are damaged from the altered Lake levels, their assessed valuation may be impacted shifting the property tax burden to all other properties in the remainder of the County; and

WHEREAS, the increased risk of damage to these properties will likely cause currently high flood insurance premiums to become even more costly; and

WHEREAS, in addition, there will be a corresponding decrease in business activity that is subject to Sales Tax; the loss of business activity is estimated to be \$18.4 million annually from recreational boaters and fishermen, both locally-based and those traveling internationally, will occur; and

WHEREAS, the loss in Sales Tax Revenue to Wayne County is estimated to be in excess of \$735,000 per year and this loss in Sales Tax Revenue will further impact all Wayne County property taxpayers because the decrease in sales tax collected will result in an increase in Wayne County property taxes; and

WHEREAS, the combined impact of the reduced taxable value to Lakeshore Properties and the loss of Sales Tax Revenue will impact all Wayne County Property taxpayers by raising the County Property Tax Rate between 4.2 percent to 5.6 percent depending upon the ultimate impacts on the reduced assessed value on the affected properties; and

WHEREAS, this increase in the County Property Tax Rate will impact the taxes on a \$100,000 home in Wayne County between \$33.46 per year to \$44.65 per year; and

WHEREAS, Town Governments and School Districts that have Lake Ontario shoreline properties in their respective property tax bases will also be greatly impacted by the reduced

taxable property assessments in their respective jurisdictions; and

WHEREAS, taxpayers in the Towns of Huron, Ontario, Sodus, Williamson, and Wolcott will likely experience significant increases in Town taxes as follows:

Huron	up to 29.9 percent increase
Ontario	up to 2.7 percent increase
Sodus	up to 10.1 percent increase
Williamson	up to 5 percent increase
Wolcott	up to 11.9 percent increase

WHEREAS, property taxpayers in the School Districts of North Rose-Wolcott, Wayne Central, Williamson Central, Sodus Central, and Red Creek within the five towns will also be impacted; the impacts will vary by School District and Town and are not included above; and

WHEREAS, the environmental, economic, and increased tax burden on all of the citizens of Wayne County, especially those in the Towns of Huron, Ontario, Sodus, Williamson, and Wolcott are unacceptable to the Wayne County Board of Supervisors; and

WHEREAS, New York State Senator Michael Nozzolio and Assemblyman Robert Oaks have already authored letters to Federal Representatives expressing opposition to implementation of PLAN2014; and

WHEREAS, Wayne County residents and elected officials are firmly committed to protecting the quality of waters, streams and harbors of Lake Ontario, the home for some of the best sport fishing, pleasure sailing, power-boating and recreational enjoyment in the world; now, therefore be it

RESOLVED that the Wayne County Board of Supervisors does herewith oppose adoption and implementation of PLAN2014 as proposed by the International Joint Commission in its entirety as it will cause a man-made disaster and recurring catastrophic events; and be it further

RESOLVED, that the Wayne County Board of Supervisors requests Governor Andrew Cuomo to join with Senator Michael Nozzolio, Assemblyman Robert Oaks, the Wayne County Board of Supervisors, and the other counties in New York opposed to PLAN2014 to oppose the adoption and implementation of PLAN2014.

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

**RESOLUTION NO. 452-14: AUTHORIZATION TO PARTICIPATE IN A COOPERATIVE BID COORDINATED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF ONTARIO, SENECA, WAYNE AND YATES COUNTIES FOR VARIOUS COMMODITIES AND/OR SERVICES**

Mrs. Crane presented the following:

WHEREAS, the County of Wayne ("County") desires to participate in a Cooperative Bidding Program conducted by the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties ("BOCES") from year to year or, until this Resolution is rescinded, for the purchase of various commodities and/or services; and

WHEREAS, the County is desirous of participating with BOCES in the joint bid of the commodities and/or services on file with the Clerk of the Board as authorized by General Municipal Law, Section 119-o; and

WHEREAS, the County has appointed BOCES as representative to assume the responsibility for drafting specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the County and making recommendations thereon; now, therefore, be it

RESOLVED, that the County hereby accepts the appointment of BOCES to represent it in all matters related above; and be it further

RESOLVED, that the County hereby authorizes the above-mentioned BOCES to represent it in all matters regarding the entering into contract(s) for the purchase of the commodities and/or services; and be it further

RESOLVED, that the County agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with BOCES for participation in cooperative bidding conducted by BOCES for various commodities and services and if requested to furnish BOCES with an estimated minimum number of units that will be purchased by BOCES; and be it further

RESOLVED, that the Board of Supervisors hereby authorizes BOCES to award cooperative bids to the bidder deemed to be the lowest responsive and responsible meeting the bids specification and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts.

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

**RESOLUTION NO. 453-14: AUTHORIZE APPOINTMENTS TO INTER-COUNTY ASSOCIATION OF WESTERN NEW YORK**

Mrs. Crane presented the following:

RESOLVED, the Wayne County Board of Supervisors hereby approves the appointments of the following individuals to the Inter-County Association of Western New York for the term January 1, 2014, through December 31, 2014, as listed below:

James Hoffman, Representative

Patricia Marini, Representative

Steve LeRoy, Representative

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

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

**RESOLUTION NO. 454-14: ADOPTION OF LOCAL LAW PROVIDING FOR CHANGES IN SALARIES OF CERTAIN COUNTY OFFICERS DURING THEIR TERM OF OFFICE (2014)**

Mrs. Crane presented the following:

WHEREAS, a proposed local law in relation to providing for changes in the salaries of certain County officers during their term of office was presented to the Board of Supervisors on June 17, 2014, and

WHEREAS, a public hearing on the proposed local law was held on Tuesday, June 15, 2014 at 9:15 am in the Supervisor's Chambers in the County Court House, 26 Church Street, Lyons, New York, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore be it

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

**COUNTY OF WAYNE – STATE OF NEW YORK  
LOCAL LAW NO. 4 FOR THE YEAR 2014**

A Local Law providing for changes in the salaries of certain County officers during their term of office.

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

SECTION 1. The annual salary of the County Treasurer shall be \$75,172 effective January 1, 2014.

SECTION 2. The annual salary of the County Clerk shall be \$77,308 effective January 1, 2014.

SECTION 3. The annual salary of the Sheriff shall be \$92,497 effective January 1, 2014.

SECTION 4. The annual salary of the County Coroner shall be \$41,060 effective January

1, 2014.

SECTION 5. The annual salary of the Public Defender shall be \$89,321 effective January 1, 2014.

SECTION 6. The annual salary of the County Administrator shall be \$124,172 effective January 1, 2014.

SECTION 7. The annual salary of the County Auditor shall be \$65,975 effective January 1, 2014.

SECTION 8. The annual salary of the Director of Real Property Tax Services shall be \$61,966 effective January 1, 2014.

SECTION 9. The annual salary of the County Attorney shall be \$97,097 effective January 1, 2014.

SECTION 10. The annual salary of the Human Resource Director shall be \$87,677 effective January 1, 2014.

SECTION 11. The annual salary of the Election Commissioner shall be \$11,638 effective January 1, 2014.

SECTION 12. The annual salary of the Election Commissioner shall be \$11,638 effective January 1, 2014.

SECTION 13. The annual salary of the Commissioner of Social Services shall be \$91,515 effective January 1, 2014.

SECTION 14. The annual salary of the Superintendent of Public Works shall be \$93,783 effective January 1, 2014.

SECTION 15. An incumbent holding a position subject to the provisions of Sections 1 through 13 of this local law at the time during the period from the effective date of the salary increase for such position until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefore, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.

SECTION 16. If any clause, sentence, paragraph, part or provision of this local law shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part or provision thereof directly involved in the controversy in which such judgment is rendered.

SECTION 17. This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof, in the manner provided by law.

SECTION 18. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2014.

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

**RESOLUTION NO. 455-14: ADOPTION OF LOCAL LAW AMENDING THE LONGEVITY PAYMENT SCHEDULE FOR NON-ELECTED COUNTY OFFICERS AND MANAGERIAL AND CONFIDENTIAL EMPLOYEES NOT SUBJECT TO COLLECTIVE BARGAINING AGREEMENTS**

Mrs. Crane presented the following:

WHEREAS, a proposed local law in relation to providing for changes in the longevity payment schedule for full-time, non-elected County Officers and employees not subject to collective bargaining agreements was presented to the Board of Supervisors on June 17, 2014, and

WHEREAS, a public hearing on the proposed local law was held on Tuesday, June 15, 2014 at 9:20 am in the Supervisor's Chambers in the County Court House, 26 Church Street, Lyons, New York, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore be it

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

**COUNTY OF WAYNE – STATE OF NEW YORK  
LOCAL LAW NO. 5 FOR THE YEAR 2014**

A local law amending the longevity payment schedule for non-elected County officers and employees not subject to collective bargaining agreements, as established by local law No. 7-1984 and amended by Local Law No. 1-1986, Local Law No. 5-1988, Local law No. 5-1993, Local Law No. 3-1994, Local Law No. 4-1995, Local Law No. 1-1998, Local Law No. 3-1998 and Local Law No. 3-2001.

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

**SECTION 1.**

Section 1 of local law No. 7-1984 and amended by Local Law No. 1-1986, Local Law No. 5-1988, Local Law No. 5-1993, Local Law No. 3-1994, Local Law No. 4-1995, Local Law No. 1-1998, Local Law No. 3-1998 and Local Law No. 3-2001 is hereby amended to read as follows:

**Section 1.**

(a) Except as provided in subdivision (b) of Local Law No. 3-1988 as amended, effective from and after January 1, 2014 and continuing annually thereafter, all full time, non-elected County officers and employees not subject to collective bargaining agreements shall receive, in addition to adopted salary, longevity payments upon completion of 5, 7, 10, 13, 16, 20, and 25 years of full-time continuous service with the County in accordance with the following schedule:

	<u>2014</u>
After 5 years	\$350
After 7 years	\$550
After 10 years	\$1,000
After 13 years	\$1,250
After 16 years	\$1,500
After 20 years	\$1,750
After 25 years	\$2,250

**SECTION 2.**

This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof in the manner provided by law.

**SECTION 3.**

This amended local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2014.

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

**RESOLUTION NO. 456-14: ADOPTING WAYNE COUNTY EMPLOYEE HANDBOOK ON INFORMATION SECURITY**

Mrs. Crane presented the following:

WHEREAS, Wayne County invests a considerable amount of resources in Information Technology (IT) including computers and related equipment, software, and costs related to Internet access; and

WHEREAS, these systems and the data they hold are valuable and need to be protected from unauthorized, inappropriate and wasteful use; and

WHEREAS, HIPAA requires that users of Personal Identifiable Information (PHI) have privacy and security rules in place; and

WHEREAS, at the request of the Compliance Committee, the Director of Information Technology/Security Officer has prepared an Employee Handbook on Information Security that covers the various subjects related to these security issues; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby adopts this handbook, that has been distributed to the members of the Board of Supervisors and is on file with the Clerk of the Board of Supervisors.

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

Prior to the presentation of the Health and Medical Services Committee resolutions, Supervisor Groat announced that it was great to be back home.

**RESOLUTION NO. 457-14: AUTHORIZING RENEWAL OF CONTRACT WITH MICHAEL ADSIT, DDS FOR DENTAL SERVICES AT THE WAYNE COUNTY NURSING HOME**

Mr. Groat presented the following:

WHEREAS, Michael Adsit, DDS, has been providing dental services at the Wayne County Nursing Home; and

WHEREAS, the Wayne County Nursing Home desires to renew said contract with Michael Adsit, DDS for the provision of Dental Services at the Wayne County Nursing Home effective October 1, 2014 to September 30, 2015 at a cost of \$32,240 per year, payable in 12 monthly installments; and now therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract with Michael Adsit, DDS for Dental Services at the Wayne County Nursing Home at an annual rate of \$32,240 payable in 12 monthly installments, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 458-14: AUTHORIZATION TO SOLICIT REQUESTS FOR PROPOSALS FOR AUDITING SERVICES FOR THE WAYNE COUNTY NURSING HOME**

Mr. Groat presented the following:

WHEREAS, the contract between The Bonadio Group and Wayne County Nursing Home will expire on December 31, 2014; and

WHEREAS, the Wayne County Nursing Home has to solicit requests proposals for the provision of annual auditing services for the years 2015, 2016, and 2017 and certification of the RHC4 for the years 2015, 2016, and 2017; and

RESOLVED, that the Nursing Home Administrator is hereby authorized and directed to solicit requests for the proposals for auditing services for the years 2015, 2016, and 2017 and certification of the RHC4 for the years 2015, 2016, and 2017 in accordance with specifications prepared by the Nursing Home Administrator, and approved by the County Attorney as to content and form.

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

**RESOLUTION NO. 459-14: ESTABLISHING POLICY FOR DISPOSAL OF DONATED MEDICAL EQUIPMENT AND ITEMS AT THE WAYNE COUNTY NURSING HOME**

Mr. Groat presented the following:

WHEREAS, the Wayne County Nursing Home receives donations of equipment which are not usable to the Nursing Home, but may be useful to others in the community; and

WHEREAS, the Wayne County Nursing Home frequently is left with unclaimed personal possessions of discharged residents which are not usable to the Nursing Home, but may be useful to others in the community; and

WHEREAS, the Wayne County Nursing Home lacks adequate storage space to maintain such items indefinitely; and

WHEREAS, the Wayne County policy on disposal of surplus equipment does not apply to these categories of items and the Wayne County Nursing Home has had a policy for the disposal of these items; and now therefore be it

RESOLVED, that the policy shall be as follows:

**DISPOSAL OF DONATED MEDICAL EQUIPMENT AND ITEMS  
AT THE WAYNE COUNTY NURSING HOME**

- Wayne County Nursing Home will dispose of donated surplus medical equipment and personal belongings of residents by destruction or donation to benefit the Wayne County Nursing Home Foundation, Inc.

- Medical Equipment does not include furniture which may be usable to the general public as home or office furnishings. Items will only be evaluated for destruction or donation when it has been determined the resident or his/her legal representative has failed to claim the item(s).

- WCNH and the WCNH Foundation, Inc. may accept donations of medical equipment that is in good working condition and has an expected useful life of greater than 1 year.

- When possible, the donation will be used by the WCNH to meet the needs of residents. For medical equipment that WCNH has no immediate need, WCNH's Director of Rehabilitation/designee will make a determination to store the item for a specified time period or dispose of the item.

- WCNH will request each resident sign a release for the disposal in a reasonable time of personal belongings after discharge. (See form #538.)

and be it further

RESOLVED, that the Wayne County Nursing Home Administrator will develop procedures to effect this policy.

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

**RESOLUTION NO. 460-14: AUTHORIZATION TO CREATE AND FILL ONE TEMPORARY REGISTERED NURSE POSITION**

Mr. Groat presented the following:

WHEREAS, one (1) full time Registered Nurse working as a provisional Registered Nurse Supervisor; and

WHEREAS, the Registered Nurse Supervisor position is vacant; and

WHEREAS, in order to maintain staffing levels efficiently, a temporary Registered Nurse position is needed; and

WHEREAS, upon the filling of the Registered Nurse Supervisor position the temporary Registered Nurse position would not be needed and would be abolished; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Wayne County Nursing Home to create and fill a temporary Registered Nurse position which will be abolished upon the filling of the Registered Nurse Supervisors position.

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

**RESOLUTION NO. 461-14: AUTHORIZATION TO CONTRACT WITH STRONG CENTER FOR DEVELOPMENTAL DISABILITIES FOR PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS (September 1, 2014 to June 30, 2015)**

Mr. Groat presented the following:

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

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to contract with the Strong Center for Developmental Disabilities to provide psychological consult at a rate of \$58.00 per half hour for the period of September 1, 2014 to June 30, 2015, subject to the County Attorney's approval to form and content.

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

**RESOLUTION NO. 462-14: AUTHORIZATION TO CONTRACT WITH WAYNE COUNTY SCHOOL DISTRICTS FOR THE FAMILY AND COMMUNITIES TOGETHER PROGRAM**

Mr. Manktelow presented the following:

WHEREAS, the Families and Communities Together (FACT) Program is designed to assist families that have children exhibiting emotional and/or behavioral issues. FACT serves children in grades K through 12. The primary goal of FACT is to prevent out of home placements by providing intensive case management services; and

WHEREAS, eight Wayne County school districts have requested to enter into a contractual agreement with the Department of Aging and Youth for the provision of FACT services, and

WHEREAS, the Department of Aging and Youth agrees to provide FACT services to a specified number children per school district at a sum of \$500.00 per family; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the Department of Aging and Youth for the provision of FACT services with the schools listed below in the amount specified, for the contract year from July 1, 2014 through June 30, 2015, subject to the County Attorney's approval as to form and content.

<b>School</b>	<b>Youth Served</b>	<b>Total Cost</b>
Sodus	5	\$ 2,500
NR/Wolcott	10	\$ 5,000
Lyons	13	\$ 6,500
Clyde	5	\$ 2,500
Palmyra	10	\$ 5,000
Marion	2	\$ 1,000
Newark	12	\$ 6,000
Williamson	2	\$ 1,000
<b>Total</b>	<b>59</b>	<b>\$29,500</b>

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

**RESOLUTION NO. 463-14: AUTHORIZE THE PURCHASE OF CHANGING TABLES IN THE DEPARTMENT OF SOCIAL SERVICES BUILDING**

Mr. Manktelow presented the following:

WHEREAS, there are at present no designated places to change infant's diapers in the DSS building, and

WHEREAS, there is an indicated need for safe locations for this to occur for clients and foster parents while in the DSS building, and

WHEREAS, not having safe locations for changing infants presents a potential liability risk, and

WHEREAS, the Public Works Department has found a source to purchase changing tables that will significantly reduce any risks associated with changing infants; therefore be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to purchase four (4) Horizontal Changing Stations at a purchase price not to exceed \$260.55 each, and be it further

RESOLVED, that the following budget adjustments be made by the County Treasurer:

**A6010 Social Services Administration**

(appropriations)

\$1,050.00 from .54116 Computer Supplies

\$1,050.00 to .52200 Office Equipment

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

**RESOLUTION NO. 464-14: AUTHORIZATION TO CREATE TEMPORARY PART-TIME ASSISTANT SOCIAL SERVICES ATTORNEY AND AMEND BUDGET**

Mr. Manktelow presented the following:

WHEREAS, The Wayne County Department of Social Services has need of legal services being provided for Child Welfare cases, Child Support cases and other legal issues as they arise; and

WHEREAS, the normal contingent of DSS attorneys will be less than needed for the next 3 to 6 months; and

WHEREAS, not to have sufficient attorney time available places children at increased risk (physically, sexually, financially); and

WHEREAS, having a temporary part-time attorney would mitigate that risk; now, therefore, be it

RESOLVED, that the position of temporary part-time attorney is hereby created at a rate of \$40.00 per hour not to exceed 28 hours per week for a period not to exceed 6 months or until the DSS attorney staff is at full strength; and be it further

RESOLVED, that the Commissioner of Social Services is hereby authorized to fill the position immediately; and be it further

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

**A6010 Social Services Administration**

(appropriations)

\$19,660 from .51360 Caseworker

\$ 9,460 from .51594 2nd Assistant DSS Attorney

\$29,120

**A6010 Social Services Administration**

(appropriations)

\$29,120 to Part Time Temporary Attorney

Ms. Park moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 465-14: AUTHORIZE CONTRACT WITH WAYNE COUNTY CHAPTER, NEW YORK STATE ASSOCIATION OF RETARDED CITIZENS (WAYNE ARC) FOR THE PROVISION OF INTENSIVE CASE MANAGEMENT FOR THE WORKING IMPAIRED**

Mr. Manktelow presented the following:

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

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

WHEREAS, Wayne ARC has been effective in the past at working with this population; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a contract with Wayne ARC, subject to review by the County Attorney as to form and content, to provide Intensive Case Management for the Working Impaired for the timeframe 7/1/14-6/30/15 at a cost not to exceed \$61,250.

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

**RESOLUTION NO. 466-14: AUTHORIZE CONTRACT WITH WAYNE COUNTY ASSOCIATION OF RETARDED CITIZENS FOR CHILD ONLY SERVICES**

Mr. Manktelow presented the following:

WHEREAS, it is a high priority to break the cycle of poverty and dependence on government cash subsidies; and

WHEREAS, this program has been successful at moving children/youth into employment and military service; and

WHEREAS, this service has been recognized Statewide for its accomplishments; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into contract with Wayne ARC, subject to the County Attorney's review, for Child-Only case services in an amount not to exceed \$75,000 for the time frame 7/1/14-6/30/15. This contract is funded 100% with federal monies through the TANF flexible fund.

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

**RESOLUTION NO. 467-14: AUTHORIZATION TO SIGN AGREEMENT WITH THE TERRACE AT NEWARK ASSISTED LIVING COMMUNITY**

Mr. Manktelow presented the following:

WHEREAS, a new assisted living facility, The Terrace at Newark Assisted Living Community, opened in July 2009; and

WHEREAS, the facility accepts Medicaid-eligible, low-income residents, which is a significantly under-served population for these services; and

WHEREAS, New York State Department of Health requires that a contract be in place between the assisted living facility and Wayne County DSS as a condition of reimbursement; and

WHEREAS, the terms of the agreement, including rates to be reimbursed by New York State Department of Health are dictated by the State and are not subject to local option(s); now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to sign an agreement with The Terrace of Newark Assisted Living Community, subject to the review of the County Attorney, to allow reimbursement for services provided to Medicaid-eligible, low income residents of the facility for the period 7/1/13 – 6/30/14 and 7/1/14-6/30/15.

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

**RULE 14 RESOLUTION**

**RESOLUTION NO. 468-14: AUTHORIZATION TO TRANSFER FUNDS FROM THE CAPITAL RESERVE FUND THE INFORMATION TECHNOLOGY VIRTUALIZATION PROJECT, AND AMEND THE 2014 BUDGET**

Ms. Park presented the following:

WHEREAS, the Wayne County Board of Supervisors adopted the 2014 Capital Plan which included \$75,000 for the final stage of an Information Technology Virtualization Project that was implemented in 2012; and

WHEREAS, that funds need to be put in place for the 2014 year and final stage of the project; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is authorized to transfer \$75,000 from the A387801 Capital Reserve; and be it further

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

**A9950 Transfer to Capital Fund Project**

(Appropriations)

Amount      Object Code      Project Code  
\$75,000 to 59705 Transfer to Capital Fund      VIRT Virtualization Project  
**H1904 Computer Equipment**

(Revenues)

Amount      Object Code      Project Code  
\$75,000 to 45031 Interfund Transfers      VIRT Virtualization Project

(Appropriations)

\$75,000 to 52201 Computer Equipment      VIRT Virtualization Project

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

**ADJOURNMENT**

The next scheduled meeting of the Board of Supervisors is **Monday, August 11, 2014 at 10:00 a.m.** at the Wayne County Fairgrounds in Palmyra, New York.

Ms. Park moved, seconded by Mr. LeRoy, that the board adjourn at 10:23 a.m. Carried.

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