

8th Day
Tuesday, July 16, 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 present.

County Administrator Richard House and County Attorney Daniel Connors were also present.

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:

A copy of the Sheriff's Office Cash Receipts Report dated June 20, 2019 totaling \$17,339.88 was received.

A letter dated June 25, 2019 was received from the NYS Office of Parks, Recreation and Historic Preservation regarding the consideration for nomination of the Clyde Downtown Historic District located at 103-107 Glasgow in Clyde NY to the National and State Registers of Historic Places.

A Notice of Public Hearing and financial assistance contemplated by the Wayne County Industrial Development Agency, dated for July 17, 2019 at 9:30 am at the Huron Town Hall, 10880 Lummisville Road, Wolcott, NY for CDG Huron Solar 1, LLC Project for an acquisition of property for approximately 8.5 acres located at Wilson Street, in the Town of Huron.

A copy of the Omnibus Termination Agreement was received from Converse & Morell, Attorneys at Law at the request of the Marshall Pet Products, Inc and Limekiln Enterprises, LLC of Wolcott, NY. Wayne County Industrial Development Agency terminated its Lease, Leaseback and PILOT Agreements with the Company, effective June 30, 2019, and said property shall be immediately subject to taxation.

Copies of the 'Financial Executive Summary for the Year ended December 31, 2018', including reports entitled 'Basic Financial Statements' and 'Communicating Internal Control Related Matters Identified in an Audit', was received from Raymond F. Wager, CPA. These Documents were reviewed by the July Finance Committee.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments including the June 2019 warrants for accounts payable, totaling \$5,372,705.59 was received and filed. Mr. Robusto, seconded by Mr. Chatfield. Motion carried.

PROCLAMATION:

Supervisors Laurie Crane, Co-Chairperson of the Public Safety Committee read today's proclamation for Probation Officer Week – July 21-27, 2019.

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 HEARINGS:

Prior to the reading of the notices for three public hearings scheduled for today, Chairman LeRoy read the procedures that are followed when conducting these hearings for the Board.

The Clerk read the introduction of the following Notice of Public Hearing for the proposed local law prohibiting illicit discharges to the Wayne County Separate Storm Sewer System at 9:08 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 16, 2019 at 9:05 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 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.

At 9:09 a.m., Chairman LeRoy opened the floor for the public, stating that people interested in making comment for the proposed Local Law Prohibiting Illicit Discharges, Activities, and Connections to the Wayne County Separate Storm Sewer System, 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 comments was made, Chairman LeRoy asked for a motion to close the hearing.

Mr. Kolczynski moved, seconded by Mr. Chatfield, that the hearing be closed at 9:10 a.m. Upon roll call, carried.

The Clerk read the second Public Hearing notice at 9:10 a.m., relating to the proposed transfer of county property to a local not-for-profit group:

**COUNTY OF WAYNE
NOTICE OF PUBLIC HEARING ON PROPOSED PROPERTY TRANSFER
ERIE CANAL CULTURAL CENTER (ECCC)**

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will conduct a Public Hearing on **Tuesday, July 16, 2019, at 9:10 a.m.** in the Supervisors Chambers, Wayne County Court House, 26 Church Street., Lyons, New York, relative to the proposed transfer of the Erie Canal Cultural Center (ECCC) building and property located at 165 Water Street in the Town of Lyons to a local not-for-profit group.

All persons interested for comment are invited to attend said Public Hearing or submit written communications to the Clerk of the Wayne County Board at or before the Public Hearing.

By order of the Wayne County Board of Supervisors Resolution No. 350-19, adopted on June 16, 2019.

Lyons, New York

Sandra J. Sloane, Clerk
WC Board of Supervisors

At 9:11, the Chairman opened the floor for public comment on this proposed transfer of property, for this opportunity for citizens to express their views on the subject.

After allowing time for the opportunity for comments, Chairman LeRoy requested a motion to close the hearing.

At 9:12 a.m., Mrs. Crane moved, seconded by Mr. Verkey, that the hearing be closed. Upon roll call, carried.

Prior to this last scheduled public hearing to be conducted, County Administrator Rick House introduced Katherine Gavett, an attorney for the Ferrara Fiorenza Law Firm.

A power point presentation relating to the proposed Payment In-Lieu of Taxes (PILOT) Agreement with Exelon Corporation and the County of Wayne was prepared for review today; however, the available computer equipment was not operating properly to show this presentation, as planned.

RECESS

Chairman LeRoy requested a five (5) minute recess at 9:13 a.m. Carried.

REGULAR SESSION

The Board resumed regular session at 9:17 a.m.

Katherine Gavett, legal counsel on the issue for the County, gave a general overview of the Payment In Lieu of Taxes (PILOT) agreement. The existing PILOT agreement expires at the end of 2019. The County, Town of Ontario and school district have met with Exelon and agreed to the information presented in today's resolution. The new PILOT agreement results in \$51 million to taxing jurisdictions over the 10-year contract. How the taxes will be distributed among the taxing entities will remain the same as in the past agreement. If the Plant should close during this 10-year PILOT agreement, Exelon would still have to continue their payments for two years. Also, the amount Exelon pays through the PILOT can be amended if they should receive a State subsidy for their operation.

Peter Johnson, legal counsel for Exelon, thanked the Board, County Administrator House and Supervisor Robusto for the time and effort put forth in this agreement.

Supervisor Miller requested, and it was agreed, that the power point presentation on the PILOT agreement was to be forwarded, electronically, to all Board members.

The Clerk read today's final public hearing notice at 9:23 a.m. relating to the proposed Payment In-Lieu of Taxes (PILOT) Agreement with Exelon Corporation and the County of Wayne.

COUNTY OF WAYNE NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Wayne County Board of Supervisors will conduct a Public Hearing at **9:15 a.m. on Tuesday, July 16, 2019**, 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.

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, after July 8, 2019. 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.

By order of the Wayne County Board of Supervisors Resolution No. 369-19, adopted on June 16, 2019.

Dated: June 26, 2019
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

The Chairman opened the floor at 9:24 a.m. for public comment on the proposed PILOT agreement, for the opportunity for citizens to express their views on the subject.

After allowing time for the interested citizens to comments on the proposed PILOT agreement, Chairman LeRoy requested a motion to close the hearing.

At 9:25 a.m., Mr. Kolczynski moved, seconded by Mrs. Pagano, that the hearing be closed. Upon roll call, carried.

REGULAR BUSINESS:

On behalf of the Board, Supervisor Crane read a Resolution in Memoriam for the passing of former Supervisor John Young from the Town of Huron:

RESOLUTION NO. 373-19: IN MEMORIAM – JOHN N. YOUNG – TOWN OF HURON

Mrs. Crane presented the following:

WHEREAS, John N. Young served Wayne County as Supervisor for the Town of Huron from January 1, 2002 – December 31, 2003 and January 1, 2006 – December 31, 2007. Throughout his years of service, he diligently served the Citizens of Wayne County with loyalty and dedication. His death is a great loss to his family and the community;

NOW, THEREFORE, in memory of his service to the people of Wayne County, be it RESOLVED, that the Board of Supervisors of the County of Wayne hereby expresses its great regret in the passing of John Young and extends its deepest sympathy to his family; and be it further

RESOLVED, that this resolution be spread upon the minutes, a copy be presented to the family of John N. Young; and that a page of the proceedings be dedicated in his memory.

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

RESOLUTION NO. 374-19: RENEW AGREEMENT WITH BLACK CREEK INTEGRATED SYSTEMS CORPORATION FOR MAINTENANCE OF THE SALLY PORT JAIL MANAGEMENT SOFTWARE

Mrs. Pagano presented the following:

WHEREAS, the office of the Sheriff utilizes Sally Port software to manage the Wayne County Jail; and

WHEREAS, support and software updates are essential to the ongoing function of the system; and

WHEREAS, the annual cost of software support and updates is \$51,568.75; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign an agreement with Black Creek Integrated Systems Corporation., on behalf of the County of Wayne, subject to approval by the County Attorney.

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

RESOLUTION NO. 375-19: AUTHORIZATION TO SET PUBLIC HEARING DATE FOR 2020-2024 CAPITAL PLAN FOR WAYNE COUNTY

Mrs. Pagano presented the following:

WHEREAS, the County Administrator submitted the proposed 2020-2024 Capital Plan to the Board of Supervisors on April 16, 2019; and

WHEREAS, the 2020-2024 Capital Plan was revised to include Nursing Home projects; and

WHEREAS, a Capital Plan review was conducted by members of the Public Works, Economic Development and Planning, and Finance Committees on June 18, 2019 and no changes were made to the revised plan; and

WHEREAS, a copy of the Capital Plan is on file with the Clerk of the Board of Supervisors; and

WHEREAS, the Capital Plan is a planning instrument and not an appropriations or funding commitment; now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors has scheduled a Public Hearing on said plan for Monday, August 12, 2019 to be held in the Wayne County Fairgrounds, Palmyra, New York, to receive and consider public comments on the Capital Plan for Wayne County for the period 2020-2024.

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

RESOLUTION NO. 376-19: AUTHORIZATION TO EXECUTE AGREEMENT WITH COMMUNITY BANK TRUST SERVICES FOR INVESTMENT ADVISOR AND CUSTODIAL SERVICES THROUGH THE WAYNE COUNTY TREASURER

Mrs. Pagano presented the following:

WHEREAS, the Wayne County Treasurer's Office has had a US Treasuries investment account for many years that has used an investment advisor and a custodial bank; and

WHEREAS, the County's Purchasing Policy requires that a Request for Proposal (RFP) be due to the value of the fees paid to both the advisor and custodial bank; and

WHEREAS, the County issued an RFP for Investment Advisor services and received responses on May 31, 2019 at 2pm; and

WHEREAS, the County received responses from the following Companies:

Wilmington Trust Investment Advisors, Inc
1100 North Market Street
Wilmington, DE 19801

Manning & Napier
290 Woodcliff Drive
Fairport, NY 14450

Community Bank Trust Services
182 Main Street
Oneida, NY 13421

HPN Capital, LLC
Five Star Plaza
100 Chestnut Street
Rochester, NY 14604

and

WHEREAS, the County Treasurer's Office has reviewed and analyzed the responses and recommends awarding the agreement to Community Bank Trust Services for a 5 year term; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and the County Treasurer are hereby authorized to sign an investment agreement with Community Bank Trust Services, subject to the County Attorney's approval, for period of August 1, 2019 – July 31, 2024 at a cost not to exceed 15 basis points (0.15%) of the account value.

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

RESOLUTION NO. 377-19: AUTHORIZATION TO ADVERTISE FOR SEALED BIDS FOR SALE OF COUNTY PROPERTY AND RESCINDING RESOLUTION NO. 204-19

Mrs. Pagano presented the following:

WHEREAS, pursuant to Resolution No. 204-19, the Wayne County Board of Supervisors authorized the sale of the property located at 7098 Fisher Road in Williamson; and WHEREAS, this property was not sold by sealed bid due to a legal challenge; and WHEREAS, the legal challenge has been settled and the County's foreclosure was found to be valid still; and

WHEREAS, the last day to challenge the most recent ruling is July 18th, 2019; and WHEREAS, the County wishes to sell this parcel by sealed bid if no challenges are filed; now, therefore, be it

RESOLVED, that Resolution No. 204-19 is hereby rescinded; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized to advertise for sealed bids on the following property:

<u>SEQ#</u>	<u>TOWN</u>	<u>TAX ID#</u>	<u>LOCATION</u>
1401499	Williamson	64118-00-211678	7098 Fisher Road

and be it further

RESOLVED, that all terms and conditions adopted by Resolution No. 154-19 for the conduct of the 2019 Tax Auction will apply to these sealed bids; and be it further

RESOLVED, that the advertising shall run two times in the Times of Wayne County and the Sun and Record; and be it further

RESOLVED, that the minimum acceptable bid shall be \$30,000.00 and the County reserves the right to reject all bids; and be it further

RESOLVED, all bids and deposits must be submitted with Wayne County's bid forms, which are available at the County Treasurer's Office or on the Wayne County Website on July 25, 2019 and all bid deposits and bid forms must be submitted to the Wayne County Treasurer's Office, 76 William St, Lyons, NY 14489, no later than August 28, 2019 at 2:00 pm at which time they will be opened and read aloud.

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

RESOLUTION NO. 378-19: AUTHORIZATION TO EXECUTE PAYMENT IN-LIEU OF TAXES AGREEMENT WITH WAYNE CENTRAL SCHOOL DISTRICT, TOWN OF ONTARIO, AND R.E. GINNA NUCLEAR POWER PLANT, LLC.

Mrs. Pagano presented the following:

WHEREAS, the Payment In-Lieu of Taxes agreement with the R.E. Ginna Nuclear Power Plant will expire as to the County of Wayne on December 31, 2019; and

WHEREAS, Representatives of Wayne County, the Town of Ontario, and the Wayne Central School District were authorized to negotiate a successor agreement with R.E. Ginna Nuclear Power Plant, LLC representatives; and

WHEREAS, market conditions have impacted the Ginna Plant and it has been necessary for Ginna officials to negotiate a Reliability Support Services Agreement with Rochester Gas and Electric Company in order for Ginna to sustain operations; and

WHEREAS, Ginna has been a significant property tax payer to the three taxing jurisdictions through the soon to expire PILOT agreement; and

WHEREAS, the Ginna Plant is a substantial positive economic impact for the Town of Ontario, the Wayne Central School District, and Wayne County; and

WHEREAS, recognizing the positive impacts of an operating and financially viable Ginna Nuclear Power Plant, the taxing jurisdictions' representatives had to weigh the revenue impacts to the jurisdictions and the importance of the long-term viability of the plant; and

WHEREAS, the respective governmental representatives of the three taxing jurisdictions have negotiated a successor PILOT agreement which takes these economic impacts into account; and

WHEREAS, the agreement will provide the PILOT revenue to the jurisdictions as outlined below:

School District Tax Year	School District PILOT Payment Due Date	Town / County PILOT Payment Due Date	Town PILOT Payments (\$)	School District PILOT Payments (\$)	County PILOT Payments (\$)	Total PILOT Payments (\$)
Percentage Share			12.0%	63.5%	24.5%	
2019-2020	Sept. 30, 2019	Jan. 31, 2020	904,800	4,787,900	1,847,300	7,540,000
2020-2021	Sept. 30, 2020	Jan. 31, 2021	847,200	4,483,100	1,729,700	7,060,000
2021-2022	Sept. 30, 2021	Jan. 31, 2022	798,000	4,222,750	1,629,250	6,650,000
2022-2023	Sept. 30, 2022	Jan. 31, 2023	738,000	3,905,250	1,506,750	6,150,000
2023-2024	Sept. 30, 2023	Jan. 31, 2024	678,000	3,587,750	1,384,250	5,650,000
2024-2025	Sept. 30, 2024	Jan. 31, 2025	618,000	3,270,250	1,261,750	5,150,000
2025-2026	Sept. 30, 2025	Jan. 31, 2026	528,000	2,794,000	1,078,000	4,400,000
2026-2027	Sept. 30, 2026	Jan. 31, 2027	438,000	2,317,750	894,250	3,650,000
2027-2028	Sept. 30, 2027	Jan. 31, 2028	360,000	1,905,000	735,000	3,000,000
2028-2029	Sept. 30, 2028	Jan. 31, 2029	270,000	1,428,750	551,250	2,250,000

and

WHEREAS, New York Real Property Tax Law Section 485 permits taxing jurisdictions to enter into PILOT agreements with nuclear powered electric generating facilities recognizing that determining assessed value on these facilities would be difficult and likely result in costly certiorari litigation; and

WHEREAS, pursuant to Section 485 and Municipal Home Rule Law, Wayne County adopted Local Law Number 2 of 2015 exempting the Plant from taxation by the County commencing January 1, 2016 and for any succeeding period of time providing a Public Hearing is held prior to authorizing future PILOT agreements; and

WHEREAS, a Notice of Public Hearing with respect to the County's adoption of this Agreement was placed in the County's official newspapers pursuant to this requirement; and

WHEREAS, a Public Hearing was held on July 16, 2019; and

WHEREAS, it is the desire of the Wayne County Board of Supervisors having considered the impacts of the Payment In-Lieu of Taxes agreement to enter into the PILOT agreement; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute a Payment In-Lieu of Taxes agreement between the Town of Ontario, the Wayne Central School District, Wayne County, and R.E. Ginna Nuclear Power Plant, LLC, approved by the Wayne County Attorney as to form, and attached hereto.

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

Mr. Baldrige addressed the Board to request Board members to reject this resolution for a PILOT agreement with the R.E. Ginna Nuclear Power Plant, as this 'deal' is for a multi-million dollar corporation and is not fair to other Wayne County taxpayers. It ultimately increases Wayne County taxpayer's property taxes, it is unfair and unwise.

Upon roll call, all Supervisors voted Aye, except Supervisors Baldrige and Jacobs who voted Nay. Supervisor Verno Abstained from voting. The Chairman declared the Resolution adopted.

RESOLUTION NO. 379-19: AUTHORIZATION TO SET SALARY FOR ASSISTANT DISTRICT ATTORNEY PART-TIME AND AMEND 2019 BUDGET

Mr. Verkey presented the following:

WHEREAS, there is a current vacancy for the 4th Part Time Assistant District Attorney; and

WHEREAS, David Shaw has requested to resign his Full Time position and fill the currently vacant Part Time Asst District Attorney 4th position #51030; and

WHEREAS, David Shaw has over 40 years' experience in criminal law and over 20 years as a prosecutor and has served Wayne County Faithfully and been instrumental in the reorganization of the current office; and

WHEREAS, his position will be responsible for additional courts and he will also cover the 7 am. CAP schedule and also assist with Preliminary Hearings and Grand Jury; and

WHEREAS, said salary must be set and approved by the Board of Supervisors, now therefore let it be

RESOLVED, that the District Attorney be allowed to offer an annual salary of \$53,000.00 to David Shaw to the position of 4th Part Time Assistant District Attorney; and be it further

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

A1990 Contingency Fund General

(Appropriations)

\$12,272 from 54000 Contractual Expenses

A1165 District Attorney

(Appropriations)

\$11,400 to 51030 Asst District Attorney 4th

\$ 872 to 58200 Social Security

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

RESOLUTION NO. 380-19: AUTHORIZATION TO FILL A VACATED FULL TIME ASSISTANT DISTRICT ATTORNEY POSITION AND SET SALARY AND AMEND 2019 BUDGET

Mr. Verkey presented the following:

WHEREAS, David Shaw, currently 1st Assistant ADA position # 51025 desires to transfer to a Part Time Position; and

WHEREAS, this position requires an experienced and talented violent felony prosecutor and leadership qualities; and

WHEREAS, this full-time position is important to the chain of command and succession of the DA's office; and

WHEREAS, this vacancy is anticipated to occur immediately; and

WHEREAS, Christine Callanan, position # 5 1027 has demonstrated the ability to lead and is a highly qualified violent felony prosecutor; and

WHEREAS, though the salary for the 1st assistant appointment will not increase, the Tier 4 retirement contributions estimate will increase by 13.2% of the total wages because David Shaw was retired and the County made not retirement contribution on his behalf; now, therefore, be it

RESOLVED, that the District Attorney's Office is authorized to promote Christine Callanan to the position of 1st Assistant District Attorney Full Time position # 51025 and set her salary at \$ 91,000.00 and the District Attorney is authorized to fill this position commencing August 1, 2019; and be it further

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

A1990 Contingency Fund General
(Appropriations)
\$12,012 from 54000 Contractual Expenses
A1165 District Attorney:
(Appropriations)
\$12,012 to 58100 Retirement

Mr. Verno moved the adoption of the resolution. Seconded by Mr. Deming. Upon roll call, all Supervisors voted Aye, except Supervisors Crane, Pagano and Robusto who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 381-19: AUTHORIZATION TO AMEND BUDGET AND EXPEND FUNDS FOR BACKUP 911 CENTER

Mr. Verkey presented the following:

WHEREAS, the Wayne County Backup 911 Center is utilized at a minimum on a bi-monthly basis; and

WHEREAS, the current location is undersized for present requirements; and

WHEREAS, the Wayne County 911 Operations Manager is desirous of moving the Center to a larger adjacent room; and

WHEREAS, this move will re-incorporate as many of the existing workstations as possible and add two workstations at a cost of approximately \$70,000, which will be grant funded; and

WHEREAS, the workstations would be relocatable in the event that the backup 911 center moved to a different facility; and

WHEREAS, the other costs of approximately \$20,000 (flooring, sound proof panels, wiring, ceiling tiles, etc.) associated with the move are not eligible for grant funding; and

WHEREAS, the backup center move project had been planned to be presented in the 2020 budget request; and

WHEREAS, two CAD software projects approved in the 2019 budget will now be deferred until 2020 due to the delay in the RMS implementation; now, therefore, be it

RESOLVED, that in accordance with Wayne County Purchasing Policy, the Director of Disaster Preparedness and the Public Works Superintendent or their designees are authorized to purchase the necessary materials and supplies for this move; and be it further

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

A3642 E911
(Appropriations)
\$20,000 from 54475 Software
\$20,000 to 54396 Building Maintenance Work Orders

A1615 Buildings & Grounds
(Revenue)
\$20,000 to 41278 Material Charges
(Appropriations)
\$20,000 to 54439 Projects

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

RESOLUTION NO. 382-19: AUTHORIZATION TO ACCEPT NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES GRANT – Distribution #8, NYS Contract Number C800054

Mr. Verkey presented the following:

WHEREAS, New York State Office of Indigent Legal Services had advised the County

Administrator of the availability of a non-competitive grant in the amount of \$495,423 for Indigent Legal Services; and

WHEREAS, Wayne County has received notification that the distribution in the amount of \$495,423 has been awarded under Contract Number C800054; and

WHEREAS, the term of said Contract Number C800054 is January 1, 2018 through December 31, 2021; and

WHEREAS, this grant funding shall be used for the following:

- To continue funding one-half of the salary and benefits of a full-time Assistant Public Defender, in continuation of the prior funding received for said position by virtue of I.L.S. Distributions #2, and #5; and
- Provide partial funding of Family Court Attorneys through Legal Assistance of Western New York (Law NY); cell phone expenses for Law NY; paralegal staff for Law NY; funding assistance for matrimonial/custody cases handled by Law NY;
- PDCMS Database contract fees for the Assigned Counsel Program; salary assistance for a data entry operator for the Assigned Counsel Program; funding assistance for the salary of the Assigned Counsel Administrator;
- Funding assistance for the Wayne Pre-Trial Services, Adult Diversion Program;
- Additional Westlaw access for the Public Defender's Office; limited furniture and equipment for the Public Defender's Office; funding for private investigator assistance to the Public Defender; and funding for CELLEBRITE software, and accompanied equipment and training for the Investigator to the Public Defender's Office with forensic investigations.

now, therefore, be it

RESOLVED, that the County Administrator is authorized to accept said distribution contract and the Chairman of the Wayne County Board of Supervisors is authorized to sign the required contract, subject to the review and approval by the Wayne County Attorney of said Indigent Legal Services Grant Contract.

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

RESOLUTION NO. 383-19: AUTHORIZING THE SHERIFF TO OBTAIN REPLACEMENT MARKED PATROL VEHICLES AND AMEND BUDGET

Mr. Verkey presented the following:

WHEREAS, a marked 2015 Ford SUV Wayne County Sheriff's vehicle was involved in a motor vehicle collision on July 10, 2017 and the vehicle and related equipment has been declared totaled by the Insurance Company; and

WHEREAS, a second marked 2015 Ford SUV Wayne County Sheriff's vehicle was involved in a motor vehicle collision on July 10, 2017 and the vehicle and related equipment has been declared totaled by the Insurance Company; and

WHEREAS, Wayne County has received \$76,388.16 from the Insurance Company for the value of the vehicles and related equipment; and

WHEREAS, the Sheriff included appropriations in the 2019 budget, for sixteen (16) 2020 Ford Interceptor SUVs which will not be fully expended on those vehicles; and

WHEREAS, the additional replacement cost of the two (2) vehicles involved in the motor vehicle collisions and related equipment is \$98,306.34; and

WHEREAS, that the unexpended appropriations for the sixteen (16) budgeted replacement vehicles plus the \$76,388.16 of insurance proceeds received for the vehicles involved in the collisions, will cover the \$98,306.34 cost for replacing the two (2) additional vehicles; and

WHEREAS, the Sheriff is requesting to amend the Sheriff's Office 2019 budget to replace the vehicles and related equipment; and

RESOLVED, that the Wayne County Sheriff is hereby authorized to purchase two (2) replacement Ford SUV marked patrol vehicles and related equipment for \$98,306.34; and be it further

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

A1931 Liability & Casualty Reserve

(Revenue)

\$76,388.16 to 42680 Insurance Recoveries

A3114 Sheriff-Road Patrol

(Appropriations)

\$76,388.16 to 52300 Motor Vehicles

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

RESOLUTION NO. 384-19: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE WAYNE – FINGER LAKES BOARD OF COOPERATIVE EDUCATION SERVICES FOR A DEPUTY SHERIFF SCHOOL RESOURCE OFFICER AND AMEND THE 2019 COUNTY BUDGET

Mr. Verkey presented the following:

WHEREAS, the Wayne - Finger Lakes Board of Cooperative Education Services, hereinafter referred to as the District, is desirous in continuing an agreement with the County of Wayne and Wayne County Sheriff to provide the District (1) FTE Deputy Sheriff School Resource Officer (SRO) at their Wayne Education Center and Wayne Technical and Career Center, located at 4440 Ridge Road, Williamson, NY, funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training and other related expenses for the twelve months of the school year; and

WHEREAS, the District, through Resolution No. 424-18 entered into an agreement with the County and Sheriff for such SRO that commenced on September 1, 2018 through December 31, 2018, and January 1, 2019 through June 30, 2019; and

WHEREAS, the District is requesting to continue an agreement with the County and Sheriff for such SRO commencing on July 1, 2019 through December 31, 2019, and continue from January 1, 2020 through June 30, 2020; and

WHEREAS, the Sheriff is requesting that the 2019 County Budget be amended and that an agreement be entered into with the Wayne – Finger Lakes Board of Cooperative Education Services for a full-time Deputy Sheriff SRO for the time period of July 1, 2019 through June 30, 2020; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SRO position ceases the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the Wayne – Finger Lakes Board of Cooperative Education Services for a full-time Deputy Sheriff SRO, for the time period of July 1, 2019 through December 31, 2019, and continue from January 1, 2020 through June 30, 2020, at no cost to County taxpayers, upon review and approval of the County Attorney; and be it further

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

A3114-ROAD PATROL:

(revenues)

\$ 46,939.00 to .42779 SRO Reimbursement

\$ 2,347.00 to .42779 SRO Admin Cost (.05% of the contract)

(appropriations)

\$ 24,864.00 to .51376 Deputy Sheriff

\$ 3,600.00 to .52300 Motor vehicle

\$ 600.00 to .52500 Other equipment

\$ 1,200.00 to .54114 Car Expense

\$ 480.00 to .54187 Uniforms

\$ 3,815.00 to .58100 Payments to NYS Retirement

\$ 2,228.00 to .58200 Payments to Social Security

\$ 5,558.00 to .58400 Hospitalization
\$ 77.00 to .58600 Disability
\$ 11.00 to .58901 Employee Assistance Program
\$ 250.00 to .58903 HRA

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

RESOLUTION NO. 385-19: AUTHORIZATION TO SET 2019 SALARY FOR THE SHERIFF'S OFFICE MAJOR POSITION

Mr. Verkey presented the following:

WHEREAS, the position of Major in the Sheriff's Office has been vacant since July 1, 2016; and

WHEREAS, a candidate has been chosen to fill the vacant position of Major in the Sheriff's Office; and

WHEREAS, the County Board of Supervisors adopted Resolution NO. 388-14 establishing and implementing procedures for a Managerial Confidential Salary Plan; and

WHEREAS, in the Managerial Confidential Salary Plan the position of Major in the Sheriff's Office is classified as a Grade 9 employee; and

WHEREAS, the Board of Supervisors adopted Resolution NO. 493-18 setting the 2019 Salary Schedule for Managerial Confidential employees; and

WHEREAS, the position of Major in the Sheriff's Office was not addressed in Resolution NO. 493-18 in adopting the 2019 salary schedule as the position was vacant; and

WHEREAS, the Sheriff has calculated the 2019 salary for the position of Major in the Sheriff's Office should be set at \$86,247; and

WHEREAS, funds are budgeted for the Major position in the 2019 Sheriff's Office budget; now therefore, be it

RESOLVED, that the 2019 salary for the Major position in the Sheriff's Office will be \$86,247.00.

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

RESOLUTION NO. 386-19: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE WAYNE CENTRAL SCHOOL DISTRICT FOR TWO DEPUTY SHERIFF SCHOOL RESOURCE OFFICERS AND AMEND THE 2019 COUNTY BUDGET

Mr. Verkey presented the following:

WHEREAS, the Wayne Central School District, hereinafter referred to as the District, is desirous in continuing an agreement with the County of Wayne and Wayne County Sheriff to provide the District two (2) FTE Deputy Sheriff School Resource Officers (SROs), funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training and other related expenses for the ten month school year; and

WHEREAS, The District, through Resolution NO. 363.18 entered into an agreement with the County and Sheriff for two (2) FTE SROs commencing on September 1, 2018 through December 31, 2018 and continued from January 1, 2019 through June 30, 2019; and

WHEREAS, The District is requesting to continue an agreements with the County and Sheriff for two (2) FTE Deputy Sheriff SROs for the time period of September 1, 2019 through December 31, 2019, and continue from January 1, 2020 through June30, 2020; and

WHEREAS, the Sheriff is requesting that the 2019 County Budget be amended and that an agreement be entered into with the Wayne Central School District for two (2) FTE Deputy Sheriff SROs for the time period of September 1, 2019 through December 31, 2019, and continue from January 1, 2020 through June 30, 2020; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SROs position ceases the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the Wayne Central School District for two (2) FTE Deputy

Sheriff SROs, for the time period of September 1, 2019 through December 31, 2019, and for January 1, 2020 through June 30, 2020, and at no cost to County taxpayers, upon review and approval of the County Attorney; and further, be it

RESOLVED, that the 2019 County Budget be amended as follows:

A3114-ROAD PATROL:

(revenues)
 \$57,710.00 to .42779 SRO Reimbursement
 \$ 2,886.00 to .42779 SRO Admin Cost (.05% of the contract)
 (appropriations)
 \$36,228.00 to .51376 Deputy Sheriff
 \$ 4,032.00 to .52300 Motor vehicle
 \$ 672.00 to .52500 Other equipment
 \$ 1,344.00 to .54114 Car Expense
 \$ 538.00 to .54187 Uniforms
 \$ 4,754.00 to .58100 Payments to NYS Retirement
 \$ 2,776.00 to .58200 Payments to Social Security
 \$ 6,926.00 to .58400 Hospitalization
 \$ 88.00 to .58600 Disability
 \$ 12.00 to .58901 Employee Assistance Program
 \$ 280.00 to .58903 HRA

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

RESOLUTION NO. 387-19: AUTHORIZATION TO ACCEPT THE 2018 PUBLIC SAFETY ANSWERING POINT GRANT (PSAP), EXPEND FUNDS AND AMEND THE 2019 BUDGET FOR EMERGENCY MANAGEMENT

Mr. Verkey presented the following:

WHEREAS, Resolution No. 336-18 authorized the Director of Emergency Management to apply for the 2018 Public Safety Answering Point Grant (PSAP), a NYS funded grant program; and

WHEREAS, Wayne County has received notification that a New York State grant in the amount of \$163,422 has been awarded with no local match required; and

WHEREAS this grant will be used to procure additional 911 dispatch consoles and furniture for the Backup 911 Center, at a cost not to exceed \$70,000; and

WHEREAS, these consoles and furniture would be relocatable in the event that the backup 911 center moved to a different facility; and

WHEREAS, the balance of available funds will be utilized to improve tower site security, to be presented in a future resolution; and

WHEREAS, it is necessary to amend the budget within the Project Account budget to accomplish these purchases; now, therefore, be it

RESOLVED, that the Director of Disaster Preparedness is authorized to accept said grant, expend grant funds for the equipment and services above, and the Chairman of the Board of Supervisors is authorized to sign the required contract, subject to the review and approval of the County Attorney, for the 2018 Public Safety Answering Point Grant; and be it further

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

H3918 Homeland Security

(Revenues)

Amount	Object#	Project ID	Object Name	Project Name
\$163,422 to	43302	PSP18	Homeland Security-	2018PSAP
Grant				

State

(Appropriations)

Amount	Object#	Project ID	Object Name	Project Name
\$163,422 to 54400 Grant		PSP18	Contracted Services	2018PSAP

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

RESOLUTION NO. 388-19: AUTHORIZATION TO ENTER INTO AGREEMENT WITH FINGER LAKES COMMUNICATION COMPANY, INC. FOR WAYNE COUNTY RADIO SYSTEM FOR EMERGENCY MANAGEMENT

Mr. Verkey presented the following:

WHEREAS, Resolution No. 355-17 declared Finger Lakes Communication Company, Inc. as the Single Source Vendor for all Radio System Infrastructure projects; and

WHEREAS, Wayne County Purchasing Policy requires a contract for all vendors who's employees/agents will be physically on the county property at any point during the contract; and

WHEREAS, Wayne County Emergency Management is desirous to establish a blank contract to allow for the expeditious handling of any projects, whether new installations, equipment upgrades, preventive maintenance or repairs; and

WHEREAS, Wayne County Emergency Management will continue to receive quotations and issue purchase orders prior to the start of any new installations, equipment upgrades, preventive maintenance; and

WHEREAS, emergency repairs will be addressed in accordance with Wayne County Purchasing Policy; now, therefore, be it

RESOLVED, that in accordance with Wayne County Purchasing Policy, the Chairman of the Wayne County Board of Supervisors is authorized to enter into a contract with Finger Lakes Communication Company, Inc. of 305 Clark St., Auburn, NY 13021, for the providing of new installations, equipment upgrades, preventive maintenance and repairs, as required during the period of 8/1/2019 to 7/31/2022 subject to the County Attorney's review.

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

RESOLUTION NO. 389-19: AUTHORIZATION FOR THE COUNTY ATTORNEY'S OFFICE TO COMMENCE AN ACTION TO COMPEL THE DETERMINATION OF A CLAIM TO REAL PROPERTY PURSUANT TO ARTICLE 15 OF THE REAL PROPERTY ACTIONS AND PROCEEDINGS LAW

Mr. Miller presented the following:

WHEREAS, through Letters Patent issued by the State of New York and recorded in the Wayne County Clerk's Office in 1988, Wayne County ("the County") acquired ownership of Abandoned Erie Canal Lands in the town of Galen which currently bear tax map identification number 72111-00-033832 ("canal lands"); and

WHEREAS, the owners of property bearing tax map identification number 72111-00-072832, which adjoins the canal lands, ("adjoining landowners") dispute the County's ownership of the canal lands and assert they are the true owners of the canal lands; and

WHEREAS, the adjoining landowners have, among other things, blocked a public trail on the canal lands with rocks and harvested trees on the canal lands; and

WHEREAS, in an effort to confirm the County's ownership of the canal lands and resolve the dispute with the adjoining landowners, the County hired a land surveyor at County expense to survey the canal lands; however, the adjoining landowners have refused to allow the land surveyor on the canal lands; and

WHEREAS, the County must now commence litigation against the adjoining landowners to establish the County's ownership of the canal lands; now therefore be it

RESOLVED, the Chairman of the Board is authorized to sign a complaint to commence an action pursuant to Article 15 of the Real Property Actions and Proceedings Law to compel the determination of the adjoining landowners' claim to ownership of the canal lands as well as any other documents necessary to initiate or maintain the proceeding; and be it further

RESOLVED, the County Attorney's Office is directed to draft and file such a complaint as well as any other papers necessary to commence, maintain or defend the action and is directed to represent the County for the duration of the proceeding.

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

RESOLUTION NO. 390-19: AUTHORIZATION TO DISPOSE OF SURPLUS COUNTY EQUIPMENT FOR WAYNE COUNTY PUBLIC WORKS

Mr. Miller presented the following:

WHEREAS, the 16 William Street renovation project included replacing the existing propane generator and transfer switch with a larger unit able to handle the increased building load; and

WHEREAS, the Superintendent of Public Works has determined that the old generator is no longer needed and should be declared surplus and disposed of as noted:

EQUIPMENT	DISPOSAL
1999 Onan/Cummins 65kW Propane Generator S# L990032959	Auction
Onan/Cummins 400amp Transfer Switch S# C000080757	Auction

now, therefore be it

RESOLVED, that the equipment listed above be sold at an upcoming public auction, Municipal online auction or sold to another Municipality in accordance with the County's Equipment Disposition policy.

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

RESOLUTION NO. 391-19: AUTHORIZATION TO DECLARE VEHICLE SURPLUS FOR WAYNE COUNTY PUBLIC WORK

Mr. Miller presented the following:

WHEREAS, the Central Garage Department has the vehicle listed below that should be disposed of as noted:

2008 Ford Focus (DSS)	VIN 1FAHP34N28W223175	Towns/Auction
-----------------------	-----------------------	---------------

now, therefore, be it

RESOLVED, that the vehicle listed above be sold as scrap or sold at an upcoming public auction, in accordance with the County's Equipment Disposition policy.

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

RESOLUTION NO. 392-19: ADOPTION OF LOCAL LAW PROHIBITING ILLICIT DISCHARGES, ACTIVITIES, AND CONNECTIONS TO THE WAYNE COUNTY SEPARATE STORM SEWER SYSTEM

Mr. Miller presented the following:

WHEREAS, a proposed local law for Prohibiting Illicit Discharges, Activities, and Connections to the Wayne County Separate Storm Sewer System was presented to the Board of Supervisors on June 18, 2019; and

WHEREAS, a public hearing on the proposed local law was held on July 18, 2019 at 9:05 a.m. in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

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

**COUNTY OF WAYNE - STATE OF NEW YORK
LOCAL LAW NO. 4 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-0-15-002 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 housekeeping 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-0-15-002, 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-0-17-004, 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 firefighting 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.
- B. 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
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.

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

RESOLUTION NO. 393-19: AUTHORIZATION TO SELL SURPLUS DODGE DAKOTA PICKUP TRUCK TO THE TOWN OF ARCADIA

Mr. Miller presented the following:

WHEREAS, a 2006 Dodge Pickup that was used by the B&G department was declared surplus via Resolution No. 043-19; and

WHEREAS, the Town of Arcadia has expressed interest in purchasing this vehicle for their Highway department's use; and

WHEREAS, the Superintendent of Public Works has set a fair value of \$1900 for this vehicle based on age, mileage and condition, now therefore be it

RESOLVED, that the 2006 Dodge Pickup, VIN 1D7HW22K46S698739, be sold to the Town of Arcadia in accordance with the Surplus Vehicle Disposition procedure for the agreed upon price of \$1,900.00.

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

RESOLUTION NO. 394-19: AUTHORIZATION FOR THE ECONOMIC DEVELOPMENT & PLANNING OFFICE TO APPLY FOR A CDBG MICROENTERPRISE GRANT

Mr. Spickerman presented the following:

WHEREAS, Wayne County has for decades supported the development and expansion of microenterprise businesses in partnership with the Wayne County Industrial Development Agency with a microenterprise loan program but because of programmatic changes at the State level, these programs are no longer available for small businesses; and

WHEREAS, the need for a microenterprise grant and/ or loan support program was identified in the recent Community Development Block Grant public hearing; and

WHEREAS, the businesses receiving assistance will provide at least 10% equity as required matching funds for a microenterprise grant; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the submission of a 2019 Community Development Block Grant (CDBG) application requesting up to \$200,000 of grant funding to establish the MicroBurst! program; 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 Chairman of the Wayne County Board of Supervisors is hereby authorized enter into a sub recipient agreement with the Wayne Economic Development Corporation (WEDC) for management and administration of funds if awarded; 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 this 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.

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

RESOLUTION NO. 395-19: RESOLUTION IN OPPOSITION TO A PAPER BAG TAX IN THE COUNTY OF WAYNE

Mrs. Crane presented the following:

WHEREAS, in the 2019-2020 fiscal year, the New York State Budget banned the use of plastic carryout bags; and

WHEREAS, the New York State Budget also authorized local governments to impose a \$0.05 cent tax on paper carryout bags; and

WHEREAS, the paper bag tax will not be imposed unless a local government opts into the tax; and

WHEREAS, New York State is already among the highest taxed states in the nation, and many Wayne County families are struggling to make ends meet; and

WHEREAS, imposing a new paper bag tax would place an additional financial burden on Wayne County families; and

WHEREAS, the Wayne County Board of Supervisors recognizes the environmental benefits of using paper bags instead of plastic; and

WHEREAS, the Wayne County Board of Supervisors does not wish to increase the cost of living in Wayne County; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors shall not impose a new tax on paper carryout bags; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Andrew M. 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.

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

RESOLUTION NO. 396-19: AUTHORIZATION TO EXECUTE AND ACCEPT MEMORANDUM OF UNDERSTANDING WITH E RECORDING PARTNERS NETWORK FOR THE WAYNE COUNTY CLERK'S OFFICE

Mrs. Crane presented the following:

WHEREAS, Wayne County has decided to support the County Clerk in the implementation of the Electronic Filing of Land Records; and

WHEREAS, Wayne County has entered into an addendum with Tyler Technology for the necessary software licenses to Tyler software as well as related professional services, and maintenance and support for recording software in the County Clerk's office; and

WHEREAS, a necessary step in the implementation of E Recording is for the County to agree to specific memorandums of understanding with specific external vendors for the acceptance of E documents; and

WHEREAS, these memorandums outline the nature of the handling of the E Documents and do not involve any expenditures on the part of the County; and

WHEREAS, E Recording Partners Network has expressed an interest in entering into said agreement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a Memorandum of Understanding with E Recording Partners Network on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

Mr. Verkey moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll

call, adopted.

RESOLUTION NO. 397-19: ESTABLISHING STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS TO COMPLY WITH NYS RETIREMENT LAW

Mrs. Crane presented the following:

WHEREAS, New York State has issued regulations (§315.4) concerning the establishment of a standard work day and additional reporting requirements for elected and appointed officials who begin new terms of office on or after August 12, 2009; and

WHEREAS, the Board has reaffirmed resolution 452-93 (08/17/93) establishing a standard work day of six (6) hours for the Wayne County Board of Supervisors and for part-time appointed officials who are not subject to collective bargaining agreements; and

WHEREAS, the Board has established a standard work day of seven (7) or eight (8) hours as noted for other elected or appointed officials; and

WHEREAS, the following officials have been elected or appointed after August 12, 2009 and therefore are subject to the §315.4 regulations; now, therefore, now be it

RESOLVED that the County of Wayne hereby establishes the following as standard workdays for elected officials and will report the following days worked to the New York State and Local Employee's Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

Elected Officials	Standard Work Day (hours)	Name	SS# (last four digits)	Reg. #	Tier 1	Current term of office	Record of Activities Result	Not submitted
County Treasurer	7	Patrick Schmitt	2369	60387115	No	1/1/2019 12/31/22	22.33	
Coroner	6	Sandra Isaac	8943	61121380	No	1/1/2019 12/31/22	5.55	

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

RESOLUTION NO. 398-19: AUTHORIZATION TO ENTER INTO MEMORANDUM OF AGREEMENT WITH CIVIL SERVICE EMPLOYEES ASSOCIATION GENERAL AND SUPERVISORY UNITS

Mrs. Crane presented the following:

WHEREAS, representatives of Wayne County have met with representatives of the CSEA General and Supervisory Unit to discuss the implementation of "Leave Policy 111" for the Advanced Life Support Unit. The terms of the policy are attached; and

WHEREAS, the parties agree that the Emergency Management Department/Advanced Life Support Unit is able to implement this policy to ensure the department is run efficiently and also employees are treated fairly regarding benefit time off; and

WHEREAS, the agreement will be implemented immediately; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign the agreement with CSEA General and Supervisory Unit to implement Leave Policy #111 as referenced herein, subject to form and content approved by the County Attorney.

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

RESOLUTION NO. 399-19: AUTHORIZATION TO PAY PATIENT-CENTERED OUTCOMES RESEARCH INSTITUTE (PCORI) FEE

Mrs. Crane presented the following:

WHEREAS, Provision 6301 of the affordable Care Act requires sponsors of self-insured health plans and issuers of health insurance policies to pay a fee to the Patient-Centered Outcomes Research Institute (PCORI); and

WHEREAS, the aforementioned legislation requires that the fee be paid for policy years ending after September 30, 2012 and before October 1, 2019; and

WHEREAS, the fee applicable to Wayne County for the policy year ending December 31, 2018, is \$3953; now, therefore, be it

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

A9060 Hospital & Medical Insurance

(appropriations)

\$3953 from .58400 Hospitalization

\$3953 to .54104 Affordable Care Act

and be it further

RESOLVED, that the Self-Insurance Specialist or the Treasurer is hereby authorized to make payment for the aforementioned fee to the Internal revenue Service in the amount of \$3953 upon adoption of this resolution.

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

RESOLUTION NO. 400-19: RESOLUTION EXPRESSING SUPPORT TO THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FOR THE DESIGNATION OF THE "LAKE ONTARIO NATIONAL MARINE SANCTUARY," DOCKET NUMBER NOAA-NOS-2019-0032

Mrs. Crane presented the following:

WHEREAS, the National Oceanic and Atmospheric Administration (NOAA) Office of National Marine Sanctuaries serves as the trustee for a network of underwater parks encompassing more than 600,000 square miles of marine and Great Lakes waters from Washington state to the Florida Keys, and from Lake Huron to American Samoa, including a network of 13 National Marine Sanctuaries and two Marine National Monuments; and

WHEREAS, recognizing the significant and beneficial economic, educational, research, and recreational impact a National Marine Sanctuary designation based on historic shipwrecks would mean for local communities, in 2015 the Chairman of the Legislature and the Mayor of Oswego established a regional task force comprised of elected and appointed leaders of the counties of Oswego, Jefferson, Cayuga and Wayne, the City of Oswego and the State of New York to coordinate a nomination of the southeastern quadrant of Lake Ontario; and

WHEREAS, the nomination was submitted to, and accepted by, NOAA in 2017; and WHEREAS, NOAA determined in 2019 the unique maritime historic and cultural resources of the region justified moving the nomination into the designation process; and

WHEREAS, the designation process began with four public scoping meetings at which overwhelming support was voiced by local communities, and by an open public comment period, ending July 31, 2019, from which NOAA uses public input to help craft a draft management plan; and

WHEREAS, it is fitting that, as one of the five founding communities of the nomination, the Wayne County Board of Supervisors should submit its comment to NOAA regarding designation; and

WHEREAS, the proposed "Lake Ontario National Marine Sanctuary" will establish international recognition for this region and dovetail with parallel efforts to designate Fort Ontario as a National Monument; and

WHEREAS, Wayne County supports the goals established in the nomination:

1. To preserve and protect the region's and the nation's legacy of maritime heritage resources and artifacts, both submerged and onshore, within the boundaries of the proposed National Maritime Sanctuary corridor.

2. To expand and enrich regional research and educational programs and opportunities for all levels of educational pursuit, from primary school science and history education to post graduate study in marine technology and maritime cultural heritage sciences, including NOAA's National Sea Grant College Program, ensuring increased knowledge and the development of future leaders and experts in the many fields related to Great Lakes maritime heritage and research.
3. To build and strengthen partnerships and collaborations between federal, state, local, and international agencies for implementing best practices in maritime heritage resource management.
4. To pursue and develop strengthened partnerships and co-programming in the areas of tourism, education, and heritage preservation with regional heritage resource collections such as the Erie Canalway National Heritage Corridor, the Canadian Ontario Ministry of Tourism, Culture, and Sport, and NOAA's network of other National Marine Sanctuaries.
5. To support, strengthen, and grow the economic and tourism goals of the counties of Jefferson, Oswego, Cayuga and Wayne, along with the City of Oswego and New York State; to develop conservation and management strategies for submerged cultural resources that are concurrent with commercial and recreational uses of the waterway; and by providing additional resources to, and creating greater partnerships with, local and regional heritage tourism initiatives through building upon heritage tourism and recreational opportunities within and linked to the sanctuary.

NOW, on recommendation of the Government Operations Committee and Chairman Steven Leroy of this body, be it

RESOLVED, that the Wayne County Board of Supervisors supports the designation of the "Lake Ontario National Marine Sanctuary" and looks forward to a mutually beneficial partnership with participating communities, stakeholders, and the National Oceanic and Atmospheric Administration's National Marine Sanctuaries Program; and be it further

RESOLVED, that the Wayne County Board of Supervisors recognizes the existing economic benefits that are provided through the continued use of this area as a significant recreational fishery, and recognizes that commercial shipping is important to the economic vitality of the Great Lakes region and the nation, and therefore encourages NOAA to craft a draft management plan that reflects the goals of the nomination and defines the scope of the proposed National Marine Sanctuary as pertaining to submerged cultural resources, so that recreational fishing and boating and diving, commercial shipping, harbor activities, and riparian interests can continue unimpeded, and where possible, be enhanced; and be it further

RESOLVED, that the Wayne County Board of Supervisors encourages NOAA to establish a local Advisory Council, comprised of regional stakeholders, to assist NOAA in sanctuary management, as have been created in other National Marine Sanctuaries; and be it

RESOLVED, that a certified copy of this Resolution, shall be submitted to Ellen Brody of the NOAA Office of National Marine Sanctuaries, and to Federal Docket Number NOAA-NOS-2019-0032, as declaration of this body's support for this designation; and be it further

RESOLVED, that the Clerk of the Board of Supervisors provide a certified copy of this Resolution to Governor Andrew Cuomo, Senator Charles Schumer, Senator Kirsten Gillibrand, Congressman John Katko, Congressman Anthony Brindisi, Congresswoman Elise Stefanik, State Senator Pam Helming, State Senator Patty Ritchie, Assemblyman Will Barclay, and Assemblyman Brian Manktelow.

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

RESOLUTION NO. 401-19: AUTHORIZATION TO ACCEPT PERFORMANCE INCENTIVE AWARD FOR WAYNE COUNTY PUBLIC HEALTH AND AMEND THE 2019 BUDGET

Mr. Baldrige presented the following:

WHEREAS, the New York State Department of Health (NYSDOH) established an annual performance incentive award program for the local health departments to

improve/enhance core public health services under Article 6 funding; and

WHEREAS, Wayne County Public Health (WCPH) participated in a legionella outbreak response initiative in 2018 and was awarded \$2,600 for their efforts; and

WHEREAS, this Performance Incentive award can be expended from January 1, 2019 to December 31, 2019; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to accept the 2018 Performance Incentive Award of \$2,600 to be expended on services and/or equipment for core Public Health programs/services from January 1, 2019 to December 31, 2019; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to create line items and transfer funds as listed below.

A4010 Public Health

(Revenues)

\$2,600 to 43455 St Aid-Incentive Award Revenue

(Appropriations)

\$2,000 to 54000 Contractual Expense; DOHPI - DOH Performance Incentive Award

\$600 to 54600 Miscellaneous; DOHPI - DOH Performance Incentive Award

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

RESOLUTION NO. 402-19: AUTHORIZATION FOR THE WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH TO CREATE TWO FULL-TIME HOME HEALTH AIDES POSITIONS TO PROVIDE PERSONAL CARE SERVICES FOR ELIGIBLE SENIORS AND AMEND THE COUNTY 2019 BUDGET

Mr. Verno presented the following:

WHEREAS, the Department of Aging and Youth currently contracts with Genesee Region Home Care of Ontario County, Inc., (Lifetime Care Inc.) for the provision of home health aides to deliver non-medical, in-home personal care assistance (PCA II) services, such as, bathing, feeding, transferring and grooming for assessed eligible adults 60 years and older; and

WHEREAS, PCA II services are an integral service in assisting seniors to live independently in their homes and are critical to meet the department's mission to prevent or prolong frail elderly individuals entrance into skilled nursing care; and

WHEREAS, Lifetime Care, Inc. is the only home health care agency that provides PCA II services in Wayne County; and

WHEREAS, Lifetime Care Inc. has been purchased by Rochester Regional Health Care System and no longer has the capacity to serve all the department's demand for home health care services; and

WHEREAS, in addition, Lifetime Care, Inc. is projected to expend approximately 77% of the 2019 funds budgeted for PCA II services due to the home health care work force shortage; and

WHEREAS, the Department has been informed that the NY State 2019 budget has procured additional funding, in the amount of \$15 million, to meet the unmet long term care needs throughout the state, of which \$17,376 has been allocated to Wayne County Department of Aging and Youth; and

WHEREAS, according to the NY State Department of Health, Title 10, Section 3610 of the Public Health Law, NY State regulated Offices for Aging are exempt from home care licensure requirements because the PCA services provided by Offices for Aging are designated and funded as a non-medical model; and

WHEREAS, the Department of Aging and Youth currently has 27 assessed eligible clients that are currently on the waitlist for PCA II services; and

WHEREAS, due to the unavailability of PCA II workforce, the department desires to create two full time home health aide positions (35 hours per week, pay grade 12 at \$16.69 per hour) to provide PCA II services effective September 1, 2019, to serve the 27 clients currently on our waitlist and to utilize the projected unexpended funding; and

WHEREAS, the home health aides provided through the department will require training and criminal record checks; and

WHEREAS, there is no additional cost to the County because the cost of the two new positions will be offset by fewer Lifetime Care PCS II services charges, and increased State Aide-Programs for Aging revenue; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors authorizes the Department of Aging and Youth to create two full time home health aide positions (35 hours per week, pay grade 12 at \$16.69 per hour) to provide PCA II services effective September 1, 2019 to serve the clients currently on our waitlist; and be it further

RESOLVED, that the Department is authorized to purchase two vehicles at \$17,500 per car; and be it further

RESOLVED, that the positions are contingent on continued NYS funding of the program; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following budget adjustments in the 2019 budget:

A6772-Aging

(Revenue)

\$17,376 to 43772- State Aide-Programs for Aging

(Appropriation)

\$20,216 to 51153 Home Health Aide

\$1,880 to 58100 Retirement

\$1,546 to 58200 FICA

\$5,358 to 58400 Hospitalization

\$103 to 58600 Disability

\$15 to 58901 EAP

\$35,000 to 52300 Motor Vehicles (two vehicles)

\$2,500 to 54572 Tuition (\$1250 per person)

\$3,000 to 54150 Supplies

\$200 to 54000 Contractual Expenses

\$500 to 54485 Mileage

\$52,942 from 54658 Personal Aide Care

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

There was discussion to explain that the primary provision for this resolution is to assist the elderly with personal care assistance services and prevent or prolong them from entering a nursing facility. Many agencies have been contacted with no luck to fulfill the waiting list that is out there. By adding these two fully funded positions, this will help to serve the elderly in our communities.

Mrs. Crane noted that she would not support this resolution as she recalled how we laid off many employees through CHHA (Wayne County Public Health's Certified Home Health Agency) as it was not financially working. The shortage of nurses is not going to fix this problem, nor should Wayne County Government be involved in this line of work.

Mr. Baldridge concluded that this is truly not a good situation; however, he would request that we support this resolution as these services to be provided are a cost effective way to save taxpayer's money; and help keep our seniors in their homes as long as possible.

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

RESOLUTION NO. 403-19: AUTHORIZATION TO EXTEND PART-TIME TEMPORARY SERVICES ASSISTANT POSITION FOR THE WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH

Mr. Verno presented the following:

WHEREAS, one of the department's full time Aging and Youth Service Assistant Position has been working part time utilizing FMLA leave; and

WHEREAS, the department received authorization per resolution 065-19 to hire a part time services assistant, without health care benefits and requiring no additional county cost to provide the necessary coverage up through June 30, 2019; and

WHEREAS, the worker on leave has informed the department she will need to continue to work PT for an extended period of time; and

WHEREAS, the department is requesting extending temporary PT Services Assistant position to December 31, 2019 to provide needed coverage until the full time worker can resume her full time status; and

WHEREAS, the Civil Service/Human Resources Department has reviewed this proposed change and approved the PT temporary position; and

WHEREAS, that there will be no additional County cost incurred; now, therefore, be it RESOLVED, that the PT Temporary Services Assistant, no benefits (CSEA bargaining unit, Pay Grade 28) be extended to work part time for the period of 7/1/19 – 12/31/19 to provide necessary coverage with approval from full board; and be it further

RESOLVED, that the PT Temporary Services Assistant position will be terminated upon the return of the full time worker.

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

RESOLUTION NO. 404-19: AUTHORIZE APPOINTMENT TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD

Mr. Verno presented the following:

WHEREAS, the Wayne County Board of Supervisors has authorized the creation of the Finger Lakes Workforce Development Board for the Counties of Wayne, Yates, Seneca, and Ontario in compliance with the Workforce Development Innovation and Opportunity Act of 2014 (replacing the 1998 WIA Act); and

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

WHEREAS, Eric Biletzky, who was previously appointed to the Finger Lakes Workforce Development Board, will no longer be a member of the WIB Board after 6/30/19, and his position on the WIB Board must be replaced; and

WHEREAS, the Executive Director has solicited nominations in accordance with the law and the following individual has been nominated for representation and appointment to the WIB Board to fill the three-year term of Eric Biletzky from 7/1/19-6/30/22:

Jona Wright Garlock Sealing Technologies Human Resources Director

RESOLVED, that the above named individual is hereby appointed to the three-year term of Eric Biletzky from 7/1/19-6/30/22 as defined above; and be it further

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

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

RESOLUTION NO. 405-19: AMEND TANF SUMMER YOUTH PROGRAM BUDGET TO REFLECT INCREASE IN ALLOCATION FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Verno presented the following:

WHEREAS, Wayne DSS was notified by NY State through 19-LCM-05 that the total 2019 allocation was \$175,146 (an increase of \$18,146 from the budgeted \$157,000); and

WHEREAS, (DSS) budget appropriations for the TANF Summer Youth Program are \$157,000; and

WHEREAS, the TANF Summer Youth Program budget needs to be adjusted to reflect increased appropriations to support the 2019 allocation of \$175,146; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to adjust the 2019 budget as follows:
A6296 TANF Summer

(Revenues)
 \$18,146 to 42766 DSS Reimbursement
 (Appropriations)
 \$16,850 to 51357 Work Experience Participant
 \$1,296 to 58200 Payments to Social Security

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

RULE 14 RESOLUTIONS

RESOLUTION NO. 406-19: AUTHORIZATION TO ACCEPT PROPOSAL FOR PROVISION OF EARLY INTERVENTION SERVICES TO ELIGIBLE WAYNE COUNTY CHILDREN STARTING SEPTEMBER 2019

Mr. Baldrige presented the following:

WHEREAS, the Clerk of the Board has duly advertised for proposals and opened proposals received on June 17, 2019 at 2:00pm, for the provision of Early Intervention Services for eligible Wayne County children for the contract period of September 1, 2019 to August 31, 2020 with the option to renew for two (2) one (1) year periods, the following proposals were received:

EARLY INTERVENTION SERVICES	ARC of Wayne	Clinical Associates of the Finger Lakes
	Amount Requested	Amount Requested
PT,OT,ST – Facility Based	\$58	\$28
PT, OT, ST – Home Based	\$77	\$36
PT, OT, ST – Home Based Extended	\$105	\$49
Special Instruction – Home Based	\$77	\$36
Psychological Services – Facility Based	\$58	Not available
Psychological Services – Home Based	\$77	Not available
Psychological Services – Home Based Extended	\$105	Not available
Basic Group Developmental Intervention	\$48	\$40
Basic Group Developmental Intervention with 1:1 Aide	\$102	Not available
Enhanced Group Developmental Intervention	\$68	\$64
Enhanced Group Intervention with 1:1 Aide	\$123	Not available
Family and Caregiver Support Group	\$32	Not available

Parent Child Group	\$54	\$44
Core Evaluation	\$350	\$94
Supplemental Evaluation	\$147	\$67
Screenings	\$147	\$42

WHEREAS, evaluations were conducted for each proposal by the Public Health Director, the Children with Special Needs Supervisor and the Purchasing Clerk to assess cost effectiveness, expertise/experience, quality of response and demonstrated ability to provide all requested services; and

WHEREAS, based on said evaluations, it is recommended that ARC of Wayne be awarded a contract for services at the above listed costs, which will be in addition to NYSDOH BEI reimbursement rates; and

WHEREAS, if the NYSDOH Bureau of Early Intervention increases any of the established reimbursement rates, the amount reimbursed by the County will be adjusted accordingly; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a contract with ARC of Wayne to provide the above listed services, at the costs provided, for the period of September 1, 2019 to August 31, 2020, with the option to renew for two (2) one (1) year renewals periods, subject to the approval of the County Attorney as to form and content and meeting insurance requirements; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer \$117,000 from the General Fund Unassigned Fund Balance; and be it further

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

A4016 Early Intervention

(Appropriations)

\$117,000 to 54511 Other Purchased Services

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

RESOLUTION NO. 407-19: AUTHORIZATION TO AWARD BID FOR TRANSPORTATION OF PRESCHOOL-AGE CHILDREN WITH PHYSICALLY HANDICAPPING CONDITIONS STARTING SEPTEMBER 2019

Mr. Baldrige presented the following:

WHEREAS, pursuant to the requirements of Section 4410 of the Education Law and Title II-A of the Public Health Law, the Clerk of the Board has duly advertised for proposals and opened bids received on June 20, 2019 at 2:00 p.m., for the transportation of preschool-age children with handicapping conditions for the contract period September 1, 2019 - August 31, 2020 with the option to renew for two (2) one (1) year periods, and the following bids were received:

Wayne County Bid Results						
Bus Routes for Children with Special Needs						
June 20, 2019 – 2:00 p.m.						
Bus Routes	Transpo Bus Services 150 Josons Drive Rochester, NY 14623		Durham School Serv. 2601 Navistar Drive Lisle IL 60532		Ontario Bus Inc 1410 Lexington Ave Rochester, NY 14606	
	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M. Route	Total Per Diem Rate P.M. Route
ROUTE #1 Mary Cariola's Children Center						
A.Wayne/Gananda/Marion /Williamson	\$227.80	\$227.80	\$273.00	\$273.00	\$368.80	\$368.80
B. Palmyra Macedon	\$227.80	\$227.80	\$273.00	\$273.00	\$368.80	\$368.80

C.Wayne/Gananda/Palmyra Macedon	\$227.80	\$227.80	\$273.00	\$273.00	\$368.80	\$368.80
D. Marion	\$227.80	\$227.80	\$273.00	\$273.00	\$368.80	\$368.80
E. Newark	\$227.80	\$227.80	\$273.00	\$273.00	\$368.80	\$368.80
Fuel Cost Route #1	\$40.00		\$25.00		\$45.00	
Monitor Price per hour	\$80.00		\$23.30/hr.		\$99.00	
ROUTE #2 United Cerebral Palsy	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M. Route	Total Per Diem Rate P.M. Route
A. Wayne/Gananda/Williams on	\$212.90	\$212.90	\$273.00	\$273.00	\$428.80	\$428.80
B. Palmyra-Macedon	\$212.90	\$212.90	\$273.00	\$273.00	\$368.80	\$368.80
C. Victor	\$212.90	\$212.90	\$273.00	\$273.00	\$368.80	\$368.80
D. Penfield	\$212.90	\$212.90	\$273.00	\$273.00	\$368.80	\$368.80
E. Webster	\$212.90	\$212.90	\$273.00	\$273.00	\$368.80	\$368.80
Fuel Cost Route #2	\$40.00		\$25.00		\$45.00	
Monitor Price	\$80.00		\$23.30/hr		\$99.00	
ROUTE #3 E. John Gavras Center	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M. Route	Total Per Diem Rate P.M. Route
A. Red Creek/North Rose Wolcott	\$301.00	\$301.00	\$310.00	\$310.00	\$368.80	\$368.80
B. Clyde-Savannah	\$301.00	\$301.00	\$310.00	\$310.00	\$368.80	\$368.80
C. Lyons	\$301.00	\$301.00	\$310.00	\$310.00	\$368.80	\$368.80
D. Newark	\$301.00	\$301.00	\$310.00	\$310.00	\$368.80	\$368.80
Fuel Cost Route #3	\$50.00		\$32.00		\$45.00	
Monitor Price	\$100.00		\$23.30/hr		\$99.00	
ROUTE #4 Hearing & Speech Center	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M. Route	Total Per Diem Rate P.M. Route
A. Wayne/Gananda/ Marion	\$233.00	\$233.00	\$273.00	\$273.00	\$368.80	\$368.80
B. Palmyra/Macedon	\$233.00	\$233.00	\$273.00	\$273.00	\$368.80	\$368.80
C. Penfield	\$233.00	\$233.00	\$273.00	\$273.00	\$368.80	\$368.80
D. Victor	\$233.00	\$233.00	\$273.00	\$273.00	\$368.80	\$368.80
E. Webster	\$233.00	\$233.00	\$273.00	\$273.00	\$368.80	\$368.80
Fuel Cost Route #4	\$50.00		\$29.00		\$45.00	
Monitor Price	\$80.00		\$23.30		\$99.00	
ROUTE #5 Finger Lakes United Cerebral Palsy	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M. Route	Total Per Diem Rate P.M. Route
(Route A-D for Geneva site)						
A. Newark/Sodus/Lyons	\$222.00	\$222.00	\$244.00	\$244.00	\$348.00	\$348.00
B. Palmyra- Macedon/Sodus/Victor	\$222.00	\$222.00	\$244.00	\$244.00	\$368.00	\$368.00
C. Clyde-Savannah	\$222.00	\$222.00	\$244.00	\$244.00	\$368.00	\$368.00
D. Marion/Gananda	\$222.00	\$222.00	\$244.00	\$244.00	\$368.00	\$368.00
(Route E for Waterloo site)						
E. Clyde-Savannah	\$222.00	\$222.00	\$244.00	\$244.00	\$368.00	\$368.00
(Route F-I Canandaigua site)						
F. Palmyra-Macedon, Sodus, Victor	\$222.00	\$222.00	\$244.00	\$244.00	\$348.00	\$348.00
G. Newark	\$222.00	\$222.00	\$244.00	\$244.00	\$348.00	\$348.00
H. Wayne	\$222.00	\$222.00	\$244.00	\$244.00	\$348.00	\$348.00
I. Marion	\$222.00	\$222.00	\$244.00	\$244.00	\$348.00	\$348.00
J. Gananda	\$222.00	\$222.00	\$244.00	\$244.00	\$348.00	\$348.00
K. Victor	\$222.00	\$222.00	\$244.00	\$244.00	\$348.00	\$348.00
L. Penfield	\$222.00	\$222.00	\$244.00	\$244.00	\$348.00	\$348.00

Fuel Cost Route #5	5A, 5B, 5D: \$45.00 5C & 5E: \$50.00 5F-5L: \$38.00		5A-5L: \$22.00		\$45.00	
Monitor Price	\$80.00		\$23.30/hr		\$99.00	
	Transpo		Durham		Ontario	
ROUTE #6 Comm. Ctr for Hearing & Speech	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M. Route	Total Per Diem Rate P.M. Route
(Route A for Webster site)						
A. Wayne/Gananda/Marion/ Webster/ Palmyra Macedon/Williamson/ Sodus	\$227.80	\$227.80	\$273.00	\$237.00	\$348.00	\$348.00
Victor/North Rose Wolcott/ Newark	\$227.80	\$227.80	\$273.00	\$273.00	\$348.00	\$348.00
(Route B for Irondequoit site)						
B. Wayne/Gananda/ Marion/Webster/ Palmyra Macedon/Williamson/Sod us/ Victor/North Rose Wolcott/Newark	\$235.00	\$235.00	\$273.00	\$273.00	\$348.00	\$348.00
Fuel Cost Route #6	\$40.00		\$49.00		\$45.00	
Monitor Price	\$80.00		\$23.30/hr		\$99.00	
	Transpo		Durham		Ontario	
ROUTE #7 Roosevelt Children's Center	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M. Route	Total Per Diem Rate P.M. Route
A. Penfield	\$229.00	\$229.00	\$244.00	\$244.00	\$368.00	\$368.00
B. Penfield (FULL DAY)	\$229.00		\$488.00		\$398.00	
Fuel Cost Route #7	\$25.00		\$13.00		\$45.00	
Monitor Price	\$80.00		\$23.30/hr		\$99.00	
	Transpo		Durham		Ontario	
Route #8 Roosevelt Children's Center	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M. Route	Total Per Diem Rate P.M. Route
A. Victor	\$229.00	\$229.00	\$244.00	\$244.00	\$368.00	\$368.00
B. Victor (FULL DAY)	\$229.00		\$488.00		\$398.00	
Fuel Cost Route #8	\$20.00		\$13.00		\$45.00	
Monitor Price	\$80.00		\$23.30/hr		\$99.00	
	Transpo		Durham		Ontario	
Route #9 Hillside Children's Center	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M.Route	Total Per Diem Rate P.M.Route	Total Per Diem Rate A.M. Route	Total Per Diem Rate P.M. Route
A. Webster/Victor/Penfield	\$242.00	\$242.00	\$273.00	\$273.00	\$368.00	\$368.00
B. Wayne/Gananda/Marion/ Sodus Williamson/North Rose Wolcott/ Red Creek	\$242.00	\$242.00	\$273.00	\$273.00	\$368.00	\$368.00
C. Clyde Savannah/Palmyra Macedon/Lyons/Newark	\$242.00	\$242.00	\$273.00	\$273.00	\$368.00	
Fuel Cost Route #9	9A: \$25.00 9B: \$35.00 9C: \$40.00		9A-9C: \$24.00		9A-9C: \$45.00	
Monitor Price	\$80.00		\$23.30/hr		\$99.00	

now, therefore, be it

RESOLVED, that the bid received from Transpo Bus Services, LLC is hereby accepted; and the Chairman of the Board of Supervisors is hereby authorized and directed to execute the required contract and sign contract amendments that add or remove transportation routes, subject to the County Attorney's approval as to form and content, meeting insurance requirements, with the respective bidder.

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

ADJOURNMENT

Prior to adjournment, Supervisor Groat addressed the board to note that he supported Resolution No. 2-2: (Res. No. 380-19) 'Authorization to Fill a Vacated Full Time Assistant District Attorney Position and Set Salary and Amend 2019 Budget', in hopes that the committee selected to review the managerial and confidential salary study will reconvene and that they will address the procedures in place.

Chairman LeRoy announced that the regular August Wayne County Board meeting will again be held on opening day at the Wayne County Fair, **Monday, August 12, 2019 at 11:00 a.m.** The Wayne County Fairgrounds are located on W. Jackson Street in Village of Palmyra.

Mrs. Jacobs moved, seconded by Mr. Miller, that the board adjourn at 9:55 a.m. Carried.

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