

10th Day
Tuesday, July 21, 2020
9:00 a.m.

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

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

Upon roll call, all Supervisors were present.

County Administrator Richard House and County Attorney Daniel Connors were also present for this morning session.

APPROVAL OF MINUTES:

Mr. Johnson moved, seconded by Mr. Chatfield, 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:

Copies of the Sheriff's Office Cash Receipts Reports dated June 18 and July 17, 2020, totaling \$15,600.32 were received.

A Thank You note was received on July 14 from Ruth D. Holli, US Census Field Supervisor, thanking the Board and staff for the use of the Court House conference room, providing workspace and assistance for essential training for US census workers.

A copy of an Application for Real Property Tax Exemption on Form RP-412-a with attached PILOT agreement was received from Harris Beach, PLLC and the Wayne County Industrial Development Agency for the **NY Ontario I, LLC – 2020 Project**, dated June 26, 2020, for property located within the Town of Ontario.

Copy of the adopted resolution was received from the Yates County Legislature regarding the appointment of Michelle Jungermann to the Finger Lakes Workforce Investment Board.

Copy of an adopted resolution was received from the Seneca County Board of Supervisors regarding the endorsements of Elizabeth Fried, Lori Parish and Danielle Malloy for appointment to the Finger Lakes Workforce Investment Board.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments including the June 2020 warrants for accounts payable, totaling \$3,053,721.50 was received and filed.

Mrs. Bender moved, seconded by Mr. Chatfield, that the July communications be received and filed. Motion carried.

PRIVILEGE OF THE FLOOR:

Chairman Miller 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.

Chairman Miller announced that we have scheduled for Fitch & Associates to conduct a remote presentation of the Wayne County EMS Study/Report after today's regular business agenda items. This will be presented by Todd Sheridan, Senior Consultant of Fitch & Associates.

RESOLUTION NO. 297-20: AUTHORIZATION TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH WAYNE CENTRAL SCHOOL TAX COLLECTIONS VIA THE COUNTY'S ONLINE CREDIT CARD SYSTEM

Mrs. Bender presented the following:

WHEREAS, Wayne Central is interested in providing Wayne Central School District taxpayers with the ability pay school tax bills with credit cards; and

WHEREAS, Wayne County has existing credit card payment infrastructure that is available via the County website that could be utilized by Wayne Central; and

WHEREAS, Real Property Tax Law 578 (2) allows County's to provide property taxes collection services to other municipalities within the County; and

WHEREAS, the County Treasurer is interested in testing this inter-municipal agreement out on a small scale; and

WHEREAS, as Wayne Central is willing to pay Wayne County \$1.50 for each parcel that is collected via the County online credit card processing system; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to sign an inter-municipal agreement with Wayne Central School District for the collection of school taxes via the County's online payment system, for the period of September 1, 2020 through June 30, 2021, for a fee of \$1.50 per parcel collected.

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

RESOLUTION NO. 298-20: AUTHORIZATION TO AMEND RESOLUTION NO. 358-19, ADOPTION OF THE ASSIGNED COUNSEL INVOICE SUBMISSION POLICY

Mrs. Bender presented the following:

WHEREAS, pursuant to Resolution No. 018-14 and Resolution No. 358-19, the Wayne County Board of Supervisors adopted the Assigned Counsel Invoice Submission policy to ensure the prompt payment of Assigned Counsel Invoices and ensure that adequate funds are budgeted for this appropriation; and

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

WHEREAS, invoices have been submitted by assigned counsel attorneys that include expenses for both travel time and mileage reimbursement for travel related to the case in the form of meetings, court, and other various reasons; and

WHEREAS, it is unreasonable to charge for both miles driven and the attorney's hourly rate for any travel; and

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

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

ASSIGNED COUNSEL INVOICE SUBMISSION POLICY

1. Invoices must be received in the Assigned Counsel Administrator's office within 120 days after the disposition, reassignment, or dismissal of a case and date stamped as such.
2. All invoices received 120 days after disposition, reassignment, or dismissal of a case shall be denied payment.
3. All assigned counsel attorneys representing matters in criminal court and appellate court, are disallowed from invoicing for both miles driven and time traveled.
4. Mileage will be reimbursed at the standard rate released by the IRS annually. No reimbursement for travel time at the attorney's hourly rate will be allowable.
3. This policy shall be effective immediately.

Mrs. Leonard moved the adoption of the resolution. Seconded by Mr. Johnson. Upon roll call, adopted.

**RESOLUTION NO. 299-20: AUTHORIZATION TO AMEND RESOLUTION NO. 454-19;
ADOPTION OF THE FAMILY COURT INVOICE SUBMISSION POLICY**

Mrs. Bender presented the following:

WHEREAS, pursuant to Resolution No. 454-19, the Wayne County Board of Supervisors adopted the Family Court Invoice Submission policy to ensure the prompt payment of Assigned Counsel Invoices and ensure that adequate funds are budgeted for this appropriation; and

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

WHEREAS, invoices have been submitted by assigned counsel attorneys that include expenses for both travel time and mileage reimbursement for travel related to the case in the form of meetings, court, and other various reasons; and

WHEREAS, it is unreasonable to charge for both miles driven and the attorney's hourly rate for any travel; and

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

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

FAMILY COURT INVOICE SUBMISSION POLICY

1. Invoices must be received in the Assigned Counsel Administrator's office within 120 days after the disposition, reassignment, or dismissal of a case and date stamped as such.
2. All invoices received 120 days after disposition, reassignment, or dismissal of a case shall be denied payment.
3. All assigned counsel attorneys representing matters in family court are disallowed from invoicing for both miles driven and time traveled.
4. Mileage will be reimbursed at the standard rate released by the IRS annually. No reimbursement for travel time at the attorney's hourly rate will be allowable.
3. This policy shall be effective immediately.

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

**RESOLUTION NO. 300-20: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH
THE WAYNE COUNTY REGIONAL LAND BANK, INC.**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Regional Land Bank, Inc. has been established to address derelict properties in the County; and

WHEREAS, the County had budgeted \$250,000 in 2019 and an additional \$250,000 in 2020 to assist the Land Bank; and

WHEREAS, the Land Bank never requested the 2019 funding and it fell to fund balance; and

WHEREAS, the County and Land Bank have agreed to terms on a new contract that would run from July 1, 2020 until December 31, 2021, where funding would be paid to the Land Bank based on a draw down system; and

WHEREAS, the Wayne County Board of Supervisors is desirous in the continued support of the Land Bank; now, therefore, be it

RESOLVED that the Chairman of the Wayne County Board of Supervisors is authorized to sign a contract with the Wayne County Regional Land Bank, Inc., subject to the County Attorneys approval to form and content for an amount not to exceed \$500,000.00; for the period of July 1, 2020 until December 31, 2021.

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

Mr. Spickerman inquired as to the fund balance of the Wayne County Regional Land Bank account and commented that with current statewide economic concerns and expenses that Wayne County is faced with, perhaps this transaction should not happen at this time.

Mark Humbert, Director of the Wayne County Regional Land Bank responded that there is

currently \$750,000 in the Landbank account with approximately 20 demolition projects planned. Mr. Spickerman requested a long roll call vote for this resolution.

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

RESOLUTION NO. 301-20: AUTHORIZATION TO ACCEPT THE 2019 OPERATION STONEGARDEN GRANT, AMEND THE 2020 BUDGET AND EXPEND FUNDS FOR SHERIFF'S OFFICE

Mrs. Bender presented the following:

WHEREAS, the Wayne County Sheriff's Office has been awarded a no cash match 2019 Operation Stonegarden Grant from the Department of Homeland Security and Emergency Services, in the amount of \$88,000; and

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

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

WHEREAS, the Sheriff is requesting authorization be granted to purchase license Plate Readers, at a cost not to exceed \$72,000, and expended overtime, including fringe benefits, at a cost not to exceed \$10,000, and \$6,000 on grant management and administrative expenses; as authorized by said grant; and

RESOLVED, that the Sheriff and the Chairman of the Board of Supervisors are hereby authorized to execute any agreements associated with the 2019 Operation Stonegarden grant upon review and approval of the County Attorney; and be it further

RESOLVED, that the Sheriff be authorized to purchase the aforementioned equipment, at a cost not to exceed \$72,000; expend operation overtime, including fringe benefits, at a cost not to exceed \$10,000, and \$6,000 on grant management and administrative expenses, as authorized by said grant, and at no cost to County taxpayers; and be it further

RESOLVED, that Wayne County Treasurer is hereby authorized to amend 2020 County Budget as follows:

A3114 – Sheriff Road Patrol

Revenue	Object No. 44302	\$88,000	
Appropriations	Object No. 51904	\$10,000	Overtime
	Object No. 52000	\$72,000	Equipment & Other Capital Outlay

A1990 – Contingent Fund

Appropriations	Object No. 54000	\$6,000	Management & Administrative exp.
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Mr. Emmel moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, adopted.

RESOLUTION NO. 302-20: AUTHORIZATION TO EXECUTE AN AFFILIATION AGREEMENT WITH MONROE COMMUNITY COLLEGE FOR A STUDENT INTERN FOR THE PROBATION DEPARTMENT

Mr. Verkey presented the following:

WHEREAS, Wayne County Probation periodically agrees to have both undergraduates and graduate students participate in internships through various educational institutions; and WHEREAS, The Probation Director has agreed to have Kristen Williamson, an undergraduate Criminal Justice student, with Monroe Community College, 100 East Henrietta Road, Rochester, NY 14623, participate in an internship program with the Wayne County Probation Department; and

WHEREAS, said internship is dependent upon an Affiliation Agreement between the County of Wayne and Monroe Community College; and

WHEREAS, the Director is requesting that an Affiliation Agreement between the County of Wayne and Monroe Community College be executed; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and the Director of Probation are hereby authorized and directed to execute an Affiliation Agreement for a student internship with Monroe Community College, 100 East Henrietta Road, Rochester, NY 14623, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 303-20: AUTHORIZATION FOR THE WAYNE COUNTY PROBATION DEPARTMENT TO USE SOCIAL MEDIA

Mr. Verkey presented the following:

WHEREAS, the Wayne County Probation Department wishes to utilize social media to increase community awareness of our programs and services as well as to serve as an additional portal for distribution of key messaging to further promote the mission of the Wayne County Probation Department and Wayne County as a whole; and

WHEREAS, the Employee Handbook on Information Security's policy on Acceptable Use of Social Media outlines the process for Wayne County departments to follow when creating social media accounts; and

WHEREAS, that the social media platforms to be used and security have been reviewed and approved by the County IT Director, who will also have access to and have the authority to shut down use of the social media site if determined to be appropriate; and

WHEREAS, the Wayne County Probation Department has submitted a social media Business Case Justification to the County Administrator and the County Attorney for approval to send on to the Public Safety Committee as directed by the Acceptable Use of Social Media policy; and

WHEREAS, the Wayne County Probation Department has presented the Business Case Justification at the June 1, 2020 Public Safety Committee meeting; now, therefore be it

RESOLVED, that with the oversight of the County IT Director, the County Probation Department is hereby authorized to utilize social media in compliance with the Wayne County Employee Handbook on Information Security Guidelines.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Eygnor. Upon roll call, adopted.

RESOLUTION NO. 304-20: AUTHORIZATION TO EXECUTE A FIVE YEAR CONTRACT WITH AXON ENTERPRISE, INC FOR SECURE STORAGE AND CONFIDENTIAL ACCESS TO CERTAIN DIGITAL INFORMATION AS OBTAINED BY THE PUBLIC DEFENDER OFFICE AS A RESULT OF INCREASED DISCOVERY IN CRIMINAL CASES

Mr. Verkey presented the following:

WHEREAS, as a result of what is known as "Discovery Reform" in criminal cases, effective January 1, 2020, the Public Defender Office now receives, processes, stores and reviews a substantial increase in discovery information as provided by the Wayne County District Attorney. This information comes in the form of digital documents, audio recordings, photos and video data. Videos in the form of police body cams, interrogation videos and anticipated police cruiser dashboard cams make up a large portion of the digital data that must be downloaded, stored and maintained; and

WHEREAS, after consultation with our IT Director, and recognizing that the Wayne County Sheriff Office has an ongoing contractual relationship with Axon, Inc., it has become clear that the most cost effective way to gain access to the digital video information as generated and disclosed by the Sheriff's Office through the District Attorney is to maintain a separate contractual relationship with Axon Inc for storage and access to that information; and

WHEREAS, such contract would mean that the Public Defender office would not have to physically download every single video disclosed to us by the District Attorney, as the Public Defender would simply have to access our secure storage with Axon to review the materials, downloading only as needed. In addition, maintaining this off site secure storage will reduce maintenance costs and storage costs for this sizeable information on the County system; and

WHEREAS, the costs of this 5 year contract will be supported entirely by the proposed 2nd year plan and subsequent years of the 5 year Hurrell-Harring contract, previously approved and accepted by the Wayne County Board March 19, 2019; now, therefore, be it

RESOLVED, that upon the review and approval of the Axon, Inc. contract #Q-243543-2 by the Wayne County Attorney, the Wayne County Chairman of the Board of Supervisors is hereby authorized to execute the 5 year contract with Axon Inc.; and be it further

RESOLVED, that the Wayne County Public Defender's Office is hereby authorized to pay to Axon, Inc. from their budget line number 54472 ILSHH the sums set forth in the Contracts for initial payment and annual payments of the services from Axon, Inc.

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

RESOLUTION NO. 305-20: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH FINGER LAKES COMMUNITY HEALTH FOR COVID-19 SCREENING, TESTING AND EDUCATION FOR EMPLOYEES AND JAIL INMATES

Mr. Verkey presented the following:

WHEREAS, the Wayne County Sheriff is desirous to have an agreement with Finger Lakes Community Health, 14 Maiden Lane, Penn Yan, New York 14527; and

WHEREAS, the Covid-19 screening, testing and education will occur at the Finger Lakes Community Health Office at 513 West Union Street, Newark, NY 14513; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to enter in an agreement with Finger Lakes Community Health, 14 Maiden Lane, Penn Yan, New York 14527 for Covid-19 screening, testing and education for employees and jail inmates that will occur at the Finger Lakes Community Health Office at 513 West Union Street, Newark, NY 14513 and upon review and approval of the County Attorney.

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

RESOLUTION NO. 306-20: AUTHORIZATION FOR THE SHERIFF'S OFFICE TO ACCEPT DONATION OF COMPUTER AND PRINTER FROM LYONS AMERICAN LEGION

Mr. Verkey presented the following:

WHEREAS, the Lyons American Legion has shut down and ceases to exist; and

WHEREAS, the Commander of the Lyons American Legion, Gary Featherly, is disposing of the Lyons American Legion assets wishes to donate a computer and printer to the Wayne County Sheriff's Office; and

WHEREAS, the computer and printer has a value of less than \$500; and

WHEREAS, the computer and printer will be used in the Police Services Division; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to accept the donation of a computer and printer from the Lyons American Legion, at no costs to County taxpayers.

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

RESOLUTION NO. 307-20: AUTHORIZATION TO ENTER INTO A LEASE AGREEMENT AND RECEIVE A TEK84 INTERCEPT WHOLE BODY SECURITY SCANNING SYSTEM WITH ANDERSON FUNDING GROUP LTD, INC FOR THE WAYNE COUNTY SHERIFF'S OFFICE

Mr. Verkey presented the following:

WHEREAS, Anderson Funding Group LTD, Inc. provides by lease whole body security scanning systems similar to airport TSA body scanning equipment and technology; and

WHEREAS, for the safety, security and good working order of the jail facility the Sheriff is desirous to lease a whole body scanning system, related equipment and software to deter, discover and capture contraband concealed and/or ingested by individuals secured by court order and by pre-arrangement admission to the care and custody of the Wayne County Sheriff;

and

WHEREAS, the Sheriff has appropriated \$32,564 in the 2020 Sheriff's Office Budget to lease a whole body security scanning system, related equipment and software; and

WHEREAS, the Sheriff is requesting to enter into a lease agreement and receive a TEK84 Intercept Whole Body Security Scanning System, related equipment and software from Anderson Funding Group LTD., Inc., 8549 Old Dominion Drive, McLean, Virginia 22102 at a cost of \$2,960.32 per month for the term of the lease through December 31, 2024; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors and the Sheriff are hereby authorized to enter into a lease agreement to receive a TEK84 Intercept Whole Body Security Scanning System, related equipment and software from Anderson Funding Group LTD., Inc., 8549 Old Dominion Drive, McLean, Virginia 22102 at a cost of \$2,960.32 per month for the term of the lease through December 31, 2024, and upon review and approval of the County Attorney.

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

RESOLUTION NO. 308-20: AUTHORIZATION TO SURPLUS K9 DAHAK FROM THE SHERIFF'S OFFICE K-9 UNIT

Mr. Verkey presented the following:

WHEREAS, the Wayne County Sheriff's Office has had a police K-9 program since 1984; and

WHEREAS, The Wayne County Sheriff's Office, currently has a K-9, known as "Dahak", in which the skills of the canine have deteriorated because of spine deterioration limiting physical abilities and must be taken out of service; and

WHEREAS, Wayne County Sheriff's Deputy Mason Craine has offered to adopt "Dahak" as a family pet; and

WHEREAS; any and all costs, including veterinary costs, associated with the adoption of "Dahak", will be borne by Mason Craine; and

WHEREAS, there shall be a fee of \$1.00 paid to Wayne County by Mason Craine for transfer of ownership of "Dahak" from Wayne County to Mason Craine; and

WHEREAS, the Sheriff is requesting authorization to surplus K-9 "Dahak" and to transfer ownership of "Dahak" to Mason Craine for the fee of \$1.00, with no costs to Wayne County taxpayers; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to surplus K-9 "Dahak" and to transfer ownership of "Dahak" to Mason Craine for the fee of \$1.00, with no costs to Wayne County taxpayers.

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

RESOLUTION NO. 309-20: AUTHORIZATION TO ACCEPT BID AND PURCHASE PANORAMA ANTENNAS FOR SHERIFF'S OFFICE POLICE SERVICE VEHICLES

Mr. Verkey presented the following:

WHEREAS, the Clerk of the Board of Supervisors to advertise for bids for the purchase panorama antennas for Sheriff's Office Police Service vehicles; and

WHEREAS, sealed bids were opened on May 20, 2020, at which time only one bid was received and publicly opened from Rok Brothers, Millersville, Maryland 21108 in the amount of \$17,947.80; and

WHEREAS, the bid submitted meets the requirements set forth in the specifications; now, therefore, be it

RESOLVED, that the bid submitted by Rok Brothers is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and Sheriff are hereby authorized and directed to execute a contract not to exceed \$17,947.80 on behalf of the

County of Wayne, subject to the County Attorney's approval as to form and content.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, adopted.

RESOLUTION NO. 310-20: AUTHORIZATION TO ADOPT UPDATED WAYNE COUNTY ARSON CONTROL PLAN

Mr. Verkey presented the following:

WHEREAS, Section 204-c of the NYS General Municipal Law requires County acceptance of the Wayne County Arson Control Plan; and

WHEREAS, the Wayne County Arson Control Plan is Appendix C of the Wayne County Mutual Aid Plan; and

WHEREAS, the Wayne County Arson Control Plan has been satisfactorily reviewed by the Wayne County Fire Coordinator's Office, the Wayne County Fire Advisory Board, the Wayne County District Attorney and the Wayne County Attorney; now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors hereby approves the Wayne County Arson Control Plan; and be it further

RESOLVED, that a copy of said plan will be filed with the New York State Office of Fire Prevention and Control, pursuant to state law.

Mrs. Leonard moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 311-20: AUTHORIZATION TO EXTEND AGREEMENT WITH BLACK CREEK INTEGRATED SYSTEMS FOR ANNUAL MAINTENANCE OF THE SALLY PORT JAIL MANAGEMENT SOFTWARE AND SECURITY SYSTEM FOR THE WAYNE COUNTY SHERIFF'S OFFICE

Mr. Verkey presented the following:

WHEREAS, the Wayne County Sheriff's Office Jail Facility utilizes Black Creek Integrated Systems for annual Sally Port Jail Management software and security system; and

WHEREAS, the support, software updates and maintenance are essential to the ongoing function of the Sally Port Management and security systems; and

WHEREAS, the annual maintenance cost of the two systems is \$71,567 (Sally Port Jail Management software is \$56,565 and security system is \$15,002);

WHEREAS, the expense to support, update software and maintenance of the above systems is budgeted in the 2020 Sheriff's Budget; now, therefore, be it

RESOLVED, that the Sheriff and Chairman of the Board of Supervisors is hereby authorized to enter in an extended agreement with Black Creek Integrated Systems, P.O. Box 101747, Irondale, Alabama 35210 for annual Sally Port Jail Management software and security system support, software updates and maintenance for \$71,567 as previously approved in the Sheriff's 2020 Budget, and upon review and approval of the County Attorney.

Mr. Eygnor moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 312-20: AUTHORIZATION TO AMEND BUDGET AND CREATE AND FILL A PUBLIC SAFETY DISPATCH SUPERVISOR POSITION IN THE E911 DEPARTMENT

Mr. Verkey presented the following:

WHEREAS, New York State legislators approved reforms which became effective on January 1, 2020 that require the District Attorney's Office to provide all information in a case (discovery) to the defense within fifteen (15) days of arraignment; and

WHEREAS, the 911 Center is the holder of record for a considerable amount of the information that the District Attorney's Office must provide to the defense in order to be in compliance with this legal requirement; and

WHEREAS, the 911 Center receives an average of 31 discovery requests per week, with each request taking an average of 1.66 hours to complete for an average of 50+ hours per week; and

WHEREAS, the individual fulfilling these requests must be intimately familiar with dispatch procedures, processes, and public safety responses; and

WHEREAS, due to the fact that the individual will work independently, must be highly responsible, and will have access to confidential and sensitive information, the individual should hold the position of a Public Safety Dispatch Supervisor; and

WHEREAS, the 911 Operations Manager has determined that the existing supervisory staff cannot support this effort without greatly reducing their attention to essential duties or without the use of an unreasonable use of overtime expenses; and

WHEREAS, the creation of an additional Public Safety Dispatch Supervisor position is necessary in order to fulfill discovery requests in a timely manner; and

WHEREAS, the 911 Center was able to temporarily delay training, quality and accreditation initiatives to fulfill the discovery requests from the District Attorney's Office until July 2020 when a Supervisor returns from military leave; now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the creation of one full time Public Safety Dispatch Supervisor position, effective July 1, 2020; and, be it further

RESOLVED, that the County Administrator is hereby authorized to fill the position on July 1, 2020; and be it further

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

A3642 E911

(Appropriations)

<u>Amount</u>	<u>Object#</u>	<u>Object Name</u>
\$39,138 from	.54400	Contracted Services

A3642 E911

(Appropriations)

<u>Amount</u>	<u>Object#</u>	<u>Object Name</u>
\$24,367 to	.51509	Public Safety Dispatcher Super
\$ 3,216 to	.58100	Payments to NYS Retirement Sys
\$ 1,865 to	.58200	Payments to Social Security
\$ 9,602 to	.58400	Hospitalization
\$ 77 to	.58600	Disability
\$ 11 to	.58901	Employee Assistance Program

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

RESOLUTION NO. 313-20: AUTHORIZATION FOR COUNTY ATTORNEY TO DRAFT A LOCAL LAW SUPERSEDING THE PUBLIC OFFICERS LAW SECTION 3(1) AS TO THE RESIDENCY OF ASSISTANT DISTRICT ATTORNEYS

Mr. Verkey presented the following:

WHEREAS, the District Attorney of the County of Wayne is an elected Public Officer, and each Assistant District Attorney employed in the Office of the Wayne County District Attorney is likewise a public officer subject to the residency requirements of the Public Officers Law, §3, which requires that each Assistant District Attorney "be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen," to wit: the County of Wayne; and

WHEREAS, the District Attorney of Wayne County has a strong desire and commitment to hire the best qualified and most experienced candidates to serve as Assistant District Attorneys, serving the residents of the County of Wayne; and

WHEREAS, the pool of qualified and experienced attorneys who both reside in the County of Wayne and who are desirous of employment in the Office of the Wayne County District Attorney is, at times, limited; and

WHEREAS, the New York State Legislature has grafted numerous exceptions onto the

residency requirement of Public Officers Law, §3, exempting various local offices from the requirement that the office holder be a resident; and

WHEREAS, as a result of the exceptions created by the New York State Legislature, the provisions of the Public Officers Law, §3, in terms of the residency requirement, has been rendered a "special law" which can, in a given circumstance, be superseded by a local legislative enactment; and

WHEREAS, the collective sense of the Wayne County Board of Supervisors indicates that broadening the geographical area from which potential candidates for employment as Wayne County Assistant District Attorneys may be drawn would enhance the professionalism and performance of the Wayne County District Attorney's Office for the benefit of all the residents of Wayne County; now therefore, be it

RESOLVED, that the Wayne County Attorney is hereby directed to draft a Wayne County Local Law expanding the residency requirements of the geographical area from which the Wayne County District Attorney may hire Assistant District Attorneys to provide that each Assistant District Attorney must be a resident of the County of Wayne, or a contiguous county, including the counties of Cayuga, Seneca, Ontario and Monroe; provided that the first Assistant District Attorney shall still be required to be a resident of the County of Wayne.

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

RESOLUTION NO. 314-20: AUTHORIZATION FOR THE WAYNE COUNTY PUBLIC DEFENDER OFFICE TO USE SOCIAL MEDIA

Mr. Verkey presented the following:

WHEREAS, the Wayne County Public Defender wishes to utilize social media to increase hiring candidate recruitment and improve public awareness of our activities on behalf of our clients to the public and to media outlets serving the Wayne County and Finger Lakes Regions; and

WHEREAS, the Employee Handbook on Information Security's policy on Acceptable Use of Social Media outlines the process for Wayne County Departments to follow when creating social media accounts; and

WHEREAS, that the social media platforms to be used and appropriate security measures have been reviewed and approved by the County IT Director, who will also have access to and have the authority to shut down use of the social media site if determined to be appropriate; and

WHEREAS, the Wayne County Public Defender has submitted a social media business Case Justification to the County Administrator and the County Attorney for approval to send on to the Public Safety Committee as directed by the Acceptable Use of Social Media policy; and

WHEREAS, the Wayne County Public Defender has presented the Business Case Justification at the July 6th, 2020 Public Safety Committee meeting; now, therefore, be it

RESOLVED, that with the oversight of the County IT Director, the Wayne County Public Defender is hereby authorized to utilize social media in compliance with the Wayne County Employee Handbook on Information Security Guidelines.

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

RESOLUTION NO. 315-20: AUTHORIZATION TO DECLARE VEHICLES AND ITEMS SURPLUS IN THE PUBLIC WORKS DEPARTMENT

Mr. Chatfield presented the following:

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

2009 Chevy Impala (DA)	2G1WB57N191323213	Auction
2008 Dodge Caravan (MH)	1D8HN44H78B180705	Auction
2007 Ford Focus (NH)	1FAFP34N97W289003	Auction
2014 Ford Taurus (SO)	1FAHP2MT4EG182899	Auction

now, therefore be it

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

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

RESOLUTION NO. 316-20: AUTHORIZATION TO PREPARE A SUPPLEMENTAL AGREEMENT WITH FISHER ASSOCIATES FOR THE CONSTRUCTION PHASE OF THE WOODS ROAD CULVERT PROJECT IN WILLIAMSON

Mr. Chatfield presented the following:

WHEREAS, this Bridge New York (BNY) project is included on the current Transportation Improvement Plan; and

WHEREAS, the project is 100% state funded; and

WHEREAS, the project is being constructed by Wayne County Highway forces; and

WHEREAS, Fisher Associates has proposed a fee of \$14,000, which has been approved by the NYS DOT, for the construction inspection and administration services; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Fisher Associates for the construction inspection services associated with the replacement of the Woods Road culvert in the Town of Williamson.

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

RESOLUTION NO. 317-20: AUTHORIZATION TO CREATE AND CLOSE PROJECTS IN THE HIGHWAY DEPARTMENT

Mr. Chatfield presented the following:

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

20-85	Owls Nest Road Recycle Project	\$270,000
20-86	Vienna Rd Paving Project	\$200,000
20-87	Owls Nest Road Paving Project	\$180,000

And a supplemental project statement of proposed work for the following project:

20-59	Surface Treating Project	\$500,000
18-33	Vienna Road Recycle Project	\$205,000

now, therefore, be it

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

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

D5112 Road Construction

(Appropriations)

- \$993,510.64 from D51122.52600 Highway Construction
- \$250,000 from D51122.52663 20-83 Lake Road Paving
- \$19,912.40 from D51122.52663 20-81 Townline Drainage Project
- \$66,511.70 from D51122.52601 Culvert Replacement Project
- \$25,065.26 from D51122.52603 Surface Treating Project
- \$270,000 to D51122.52663 20-85 Owls Nest Road Recycle Project
- \$200,000 to D51122.52663 20-86 Vienna Rd Paving Project
- \$180,000 to D51122.52663 20-87 Owls Nest Road Paving Project

\$500,000 to D51122.52659 Surface Treating Project
\$205,000 to D51122.52633 Vienna Road Recycle Project
and be it further

RESOLVED that the following highway construction projects within Account D51122 Road Construction having a zero balance, are hereby closed:

D5112-ROAD CONSTRUCTION:

52663 20-83 Lake Road Paving Project
52663 20-81 Townline Drainage Project
52601 Culvert Replacement Project
52603 Surface Treating Project

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

RESOLUTION NO. 318-20: AUTHORIZATION TO PREPARE A SUPPLEMENTAL AGREEMENT WITH C&S FOR THE CONSTRUCTION PHASE OF THE MARION-EAST WILLIAMSON ROAD CULVERT PROJECT IN WILLIAMSON

Mr. Chatfield presented the following:

WHEREAS, this Bridge New York (BNY) project is included on the current Transportation Improvement Plan; and

WHEREAS, the project is 100% state funded; and

WHEREAS, the project is being constructed by Wayne County Highway forces; and

WHEREAS, C&S has proposed a fee of \$14,000, which has been approved by the NYSDOT, for the construction inspection and administration services; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with C&S for the construction inspection services associated with the replacement of the Marion-East Williamson Road culvert in the Town of Williamson.

Mr. Eygnor moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 319-20: AUTHORIZE SUBMISSION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ECONOMIC DEVELOPMENT PROGRAM PRE-SUBMISSION FORM AND APPLICATION

Mr. Spickerman presented the following:

WHEREAS, Wayne County is eligible to apply for funding from the New York State Homes and Community Renewal ("NYS HCR") for the Community Development Block Grant ("CDBG") Economic Development program; and

WHEREAS, the Wayne County Economic Development and Planning Department intends to apply to the CDBG Economic Development program for economic development activities; and

WHEREAS, applicants for CDBG Economic Development program funding are required to schedule and conduct an advertised public hearing prior to the submission of said application to give the public the opportunity to suggest projects for municipalities to consider; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the submission of a Community Development Block Grant (CDBG) Economic Development Program application; and be it further

~~RESOLVED, that the Board of Supervisors hereby authorizes the Economic Development and Planning Department to conduct a public hearing for said application; and be it further~~

~~RESOLVED, that the hearing be set for August 18th, 2020 at 9:00 A.M. in the Committee room at 26 Church Street, Lyons, New York~~

and be it further

RESOLVED, that the Clerk of the Board is hereby authorized and directed to publish notice in the legal newspapers for the County for the first available publication; and be it further

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

Mr. Chatfield moved the adoption of the resolution. Seconded by Mr. Lasher.

Mr. Spickerman moved, seconded by Mr. Johnson that the resolution be amended by removing the Second and Third RESOLVED clauses and by adding the following RESOLVED clause:

"RESOLVED, that the Board of Supervisors will hold a public hearing on **Monday, August 10, 2020 at 11:05 a.m.**; that will take place at the August Board Meeting to be held at the Wayne County Nursing Home Outdoor Pavilion, 1529 Nye Road, Lyons, New York 14489." Motion carried.

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

RESOLUTION NO. 320-20: AUTHORIZATION TO APPOINT MEMBERS TO THE WAYNE COUNTY COMPLIANCE COMMITTEE

Mr. Emmel presented the following:

WHEREAS, the Wayne County Compliance Plan requires a Compliance Committee to maintain the Compliance Plan, report Compliance issues to the Compliance Officer, direct annual audit activities of the program, identify individual department risk standards, and advise and assist the Compliance Officer with the implementation of the Compliance Plan; and

WHEREAS, the Compliance Plan indicates that the Compliance Officer shall recommend members of the Compliance Committee; and

WHEREAS, the Compliance Officer, in addition to the required representatives, has recommended the following individuals to be appointed to the Committee:

- Dr. Ellen Wayne, Commissioner of the Wayne County Department of Social Services
 - Amy Haskins, Director of the Wayne County Department of Aging and Youth
- now, therefore, be it

RESOLVED, that Dr. Ellen Wayne, Commissioner of the Wayne County Department of Social Services and Amy Haskins, Director of the Wayne County Department of Aging and Youth are hereby appointed to serve on the Wayne County Compliance Committee.

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

RESOLUTION NO. 321-20: AUTHORIZATION TO APPLY FOR FUNDING FROM THE NYS CONSOLIDATED FUNDING FOR SHARED SERVICES FOR THE COUNTY CLERKS OFFICE

Mr. Emmel presented the following:

WHEREAS, Wayne County intends to apply for a Local Government Records Management Improvement Fund Grant (LGRMIF) from the NYS Archives, through the New York State Department of Education, for monies to continue its efforts to increase efficiencies in delivery of Digital document services and through shared services and support related to records management systems; and

WHEREAS, Wayne County, in pursuing funding through LGRMIF is looking forward to sharing services and intermunicipal cooperation with the Town of Arcadia and others which will result in savings and improved records availability for its constituents; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby supports the pursuit

and application for funding for shared services with the Town of Arcadia through a Local Government Records Management Improvement Fund Grant and authorizes the Chairman to sign the application and letter of intent; and be it further

RESOLVED, that copies of this resolution be given to the Town of Arcadia, County Treasurer, Clerk of the Legislature and the Records Management Officer.

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

RESOLUTION NO. 322-20: AUTHORIZATION TO AMEND THE 2020 HUMAN RESOURCE DEPARTMENT BUDGET FOR LEGAL EXPENSES FOR NEGOTIATIONS AND ARBITRATIONS

Mr. Emmel presented the following:

WHEREAS, the Human Resource Department now oversees the budgeted line item for Legal Representation for contract negotiations, arbitrations, etc.; and

WHEREAS, the 2020 budget was established with an amount of \$60,500 to cover these services with extensive time period on contract negotiations and arbitrations, the funds have been depleted with a present negative balance; and

WHEREAS, the County will continue legal services from Hancock Estabrook, LLP for services to negotiate outstanding contract with one unit and arbitrations; and

WHEREAS, the Human Resource Director is desirous to amend the 2020 Budget to add \$60,000 Budget Appropriations to cover anticipated costs of continuation of negotiations and arbitrations; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized to amend the 2020 Budget as follows:

A1990 Contingent Fund General

(Appropriations)

\$60,000 from 54000 Contractual Expenses

A1430 Human Resource Departments

(Appropriations)

\$60,000 to 54486 Union Contracts

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

RESOLUTION NO. 323-20: AUTHORIZATION TO AMEND THE 2020 HUMAN RESOURCE DEPARTMENT BUDGET TO PAY PATIENT-CENTERED OUTCOMES RESEARCH INSTITUTE (PCORI) FEE

Mr. Emmel 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 original legislation required that the fee be paid for policy years ending after September 30, 2012 and before October 1, 2019; and

WHEREAS, the 2020 adopted County budget did not include appropriations for this fee, as it was set to expire in 2019; and

WHEREAS, the Further Consolidated Appropriations Act, 2020 (Pub. L. 116-94), signed into law on December 20, 2019, extended the Patient-Centered Outcomes Research Trust Fund fee imposed by Internal Revenue Code sections 4375 and 4376 for 10 years. As a result of this extension, the Patient-Centered Outcomes Research Trust Fund fee will continue to be imposed through 2029; and

WHEREAS, the fee applicable to Wayne County for the policy year ending December 31, 2019, is \$4054; now, therefore, be it

RESOLVED that the Wayne County Treasurer is hereby authorized to amend the 2020 budget as follows:

A1990 Contingent Fund General (appropriations)

\$4,054 from .54000 Contractual Expenses
A9060 Hospital and Medical Insurance (appropriations)
\$4,054 to .54104 Affordable Care Act

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

RESOLUTION NO. 324-20: AUTHORIZATION TO EXECUTE A FIVE (5) YEAR CONTRACT FOR A DEFERRED COMPENSATION PROVIDER

Mr. Emmel presented the following:

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

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

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

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

WHEREAS, the RFP was published in early March 2020 as required by New York State Law; and

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

WHEREAS, each of these proposals were analyzed by the Advisory Committee; and

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

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

Mrs. Leonard moved the adoption of the resolution. Seconded by Mr. Johnson. Upon roll call, adopted.

RESOLUTION NO. 325-20: AUTHORIZATION TO EXECUTE CONTRACT WITH NEW YORK STATE BOARD OF ELECTIONS FOR ELECTIONS CYBERSECURITY REMEDIATION GRANT PROGRAM

Mr. Emmel presented the following:

WHEREAS, pursuant to Sections 363, 366 and 450 of the County Law, the Wayne County Board of Elections has been awarded state funding in the amount of \$84,230.01 through the New York State Board of Elections for the Elections Cybersecurity Remediation Grant Program, Contract Number BOE01-C004285-1110000; and

WHEREAS, this funding was established to reimburse County Boards of Elections for eligible expenses to implement cybersecurity remediation and mitigation services, and will apply to services purchased between December 21, 2019 and December 31, 2021; and

WHEREAS, a contract is necessary in order to accept and receive the aforementioned grant funding; and

WHEREAS, this program is 100% state funded, and appropriations are included in the IT Department budget; and

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract, on behalf of Wayne County, with the New York State Board of Elections, subject to the review and approval of the County Attorney's as to form and content, in order to accept and receive the aforementioned grant funding, according to the above-described terms; and be it further

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be automatically abolished; and be it further

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days' written notice; and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the County Administrator and Government Operations Standing Committee.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Eynor. Upon roll call, adopted.

RESOLUTION NO. 326-20: AUTHORIZATION TO ESTABLISH CONTRACT BETWEEN WAYNE BEHAVIORAL HEALTH NETWORK AND MONROE PLAN FOR MEDICAL CARE, INC.

Mrs. Jacobs presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) and Monroe Plan for Medical Care, Inc. (a New York State not-for-profit corporation- Individual Practice Association-IPA), wish to establish a formal relationship and contractual agreement in order for WBHN to provide reimbursable behavioral health and related support services to persons covered by this health insurance plan; and

WHEREAS, Monroe Plan for Medical Care, Inc. (MPMC) requires WBHN to have a contract established with them in order to bill and receive payments from MPMC for services WBHN provides as one of their network providers; now, therefore, be it

RESOLVED that the Chairman of the Board of Supervisors, pending approval of the County Attorney as to form and content, is authorized to sign a contractual agreement between Monroe Plan for Medical Care, Inc. & WBHN effective upon obtaining signatures of all required parties and MPMC acceptance & approval of WBHN to their network panel and continuing through December 31, 2021.

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

RESOLUTION NO. 327-20: AUTHORIZATION TO ESTABLISH CONTRACT BETWEEN WAYNE BEHAVIORAL HEALTH NETWORK AND MOLINA HEALTHCARE, INC.

Mrs. Jacobs presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) and Molina Healthcare wish to establish a formal relationship and contractual agreement in order for WBHN to provide reimbursable behavioral health and related support services to persons covered by this health insurance plan; and

WHEREAS, Molina Healthcare requires WBHN to have a contract established with them in order to bill and receive payments from them for services WBHN provides as one of their network providers; now, therefore, be it

RESOLVED that the Chairman of the Board of Supervisors, pending approval of the County Attorney as to form and content, is authorized to sign a contractual agreement between Molina Healthcare & WBHN effective upon obtaining signatures of all required parties and Molina Healthcare's acceptance & approval of WBHN to their network panel and continuing through December 31, 2021.

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

RESOLUTION NO. 328-20: AUTHORIZATION FOR ESSENTIAL & CRITICAL WAYNE BEHAVIORAL HEALTH NETWORK EMPLOYEE DR. MEERA KANDLIKAR, M.D., TO WORK FROM HOME UTILIZING PSYCHIATRIC TELEPRACTICE TECHNOLOGY MODALITY

Mrs. Jacobs presented the following:

WHEREAS, in the normal course of business Wayne Behavioral Health Network (WBHN) is operating its clinic psychiatric medical services in part by utilizing a telepractice technology modality; and

WHEREAS, the need for such ongoing professional services is high and recently the laws and regulatory requirements now allow for certain medical professionals who are licensed to practice in New York State the ability to practice via telepractice from any location within the United States; and

WHEREAS, Dr. Kandlikar is a Child Psychiatrist who has been a long time County employee at WBHN and is an essential medical provider with an existing patient case load; and

WHEREAS, Dr. Kandlikar is presently unable to work inside the clinic due to circumstances & risks related to the COVID-19 situation, however she can fully carry out her duties remotely from her home utilizing the telepractice technology modality; and

WHEREAS, the Director of Mental Health has discussed this matter with the County Administrator who supports the Directors request to authorize Dr. Kandlikar to practice and provide psychiatric medical services to WBHN patients from her home via telepractice, and that the telepractice service will meet all NYS regulatory requirements and County IT Department requirements; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors, in this special circumstance grants an exemption to Resolution Nos 239-20 & 240-20, and authorizes Dr. Meera Kandlikar, M.D., a County employee at Wayne Behavioral Health Network, permission to work from her home for the purpose of conducting official County business on behalf of WBHN, as determined appropriate and necessary by the Director of Mental Health; and be it further

RESOLVED, that the Information Technology Department is hereby authorized to provide the required, secured computer and computer access & technology platform for the remote work to occur.

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

RESOLUTION NO. 329-20: AUTHORIZATION FOR THE DEPARTMENT OF MENTAL HEALTH & WAYNE BEHAVIORAL HEALTH NETWORK TO DEVELOP SOCIAL MEDIA PLATFORMS

Mrs. Jacobs presented the following:

WHEREAS, Wayne County Department of Mental Health (WCDMH) & Wayne Behavioral Health Network (WBHN) would like to develop and maintain a Facebook Business Account, as well as a Twitter, YouTube and Instagram social media accounts in order to provide the following: release pertinent, educational and factual information on a weekly basis; convey agency and other behavioral health resources to WBHN clientele and to the public at large in Wayne County, to disseminate information about suicide prevention and early recognition screening information, to inform the public about available services and special events sponsored by the mental health department, WBHN, and our partner community based behavioral health organizations; and to convey press releases; etc.; and

WHEREAS, the WCDMH & WBHN desires to launch and expand their social media presence to these platforms including Instagram, Twitter, YouTube, and Facebook; and

WHEREAS, the Employee Handbook on Information Security's policy on Acceptable Use of Social Media outlines the process for other Wayne County Departments to follow when creating social media accounts; and

WHEREAS, that the social media platforms to be used and security have been reviewed and approved by the County IT Director, who will also have access to and have the authority to shut down use of the social media site if determined to be appropriate; and

WHEREAS, all WCDMH & WBHN social media accounts will adhere to the Acceptable Use of Social Media Policy and be under the management and oversight of the Director of Mental Health; and

WHEREAS, the Director of Mental Health has submitted a social media Business Case

Justification to the County Administrator and the County Attorney for approval to send on to the Health and Medical Services Committee as directed by the Acceptable Use of Social Media policy; and

WHEREAS, the Director of Mental Health has presented the Business Case Justification at the June 1, 2020 Health and Medical Services Committee meeting; now, therefore, be it

RESOLVED, that with the oversight of the County IT Director, the Director of Mental Health is hereby authorized to create a Wayne County Department of Mental Health & Wayne Behavioral Health Network accounts for Instagram, Twitter, YouTube, and Facebook to be used in compliance with the Wayne County Employee Handbook on Information Security Guidelines.

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

RESOLUTION NO. 330-20: AUTHORIZING AGREEMENT FOR CLINICAL LABORATORY SERVICES FOR THE WAYNE COUNTY NURSING HOME

Mrs. Jacobs presented the following:

WHEREAS, the contract between the County of Wayne and Newark Wayne Community Hospital, an affiliate of Rochester Regional Health Systems, for the provision of laboratories services became effective January 1, 2016 and renewed automatically; and

WHEREAS, it is recommended that the contract's term be revised to comply with Wayne County Purchasing policy; and

WHEREAS, the Wayne County Nursing Home recommends to renew contract with Newark Wayne Community Hospital for the provision of laboratories services from July 1, 2020 through June 30, 2023, unless terminated earlier as stated in the contract; and

WHEREAS, the Nursing Home shall pay Contractor for clinical laboratory testing services performed for Nursing Home residents in accordance to the terms and conditions as set forth in the Medicare published fee schedule; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with Newark Wayne Community Hospital, an affiliate of Rochester Regional Health Systems, for the provision of laboratories services from July 1, 2020 through June 30, 2023, unless terminated earlier as stated in the contract unless either party provides at least 60 day written notification to the other, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 331-20: AUTHORIZATION FOR WAYNE COUNTY NURSING HOME TO ENTER INTO A CONTRACT WITH VETERANS SERVICE ADMINISTRATION

Mrs. Jacobs presented the following:

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

WHEREAS, the current contract expires July 31, 2020; and

WHEREAS, the Wayne County Nursing Home Administrator would like to renew the contract for the period of August 1, 2020 – July 31, 2021 at no cost to the nursing home; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute a Contract/Award for the Wayne County Nursing Home to provide nursing home services to beneficiaries of the Veterans Administration at a per diem fee to be negotiated by the Administrator for the period August 1, 2020 to July 31, 2021, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 332-20: AUTHORIZING A CONTRACT WITH ULTRAMOBILE IMAGING, INC. FOR MOBILE DIAGNOSTIC SERVICES AT THE WAYNE COUNTY NURSING HOME

Mrs. Jacobs presented the following:

WHEREAS, the agreement with UltraMobile Imaging, Inc. to provide mobile diagnostic services at the Wayne County Nursing Home became effective April 1, 2015 and renewed automatically for additional one year terms; and

WHEREAS, it is recommended that the contract's term be revised to comply with Wayne County Purchasing policy; and

WHEREAS, Nursing Home shall pay the Contractor for services performed on Nursing Home residents in accordance to the terms and conditions as set forth in the contract pursuant to the Medicare published fee schedule; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract with UltraMobile Imaging, Inc. for the provision of mobile diagnostic services at the Wayne County Nursing Home effective July 1, 2020 to June 30, 2023 at a fee based on the terms and conditions as set forth in the contract pursuant to the Medicare published fee schedule, subject to the County Attorney's approval as to form and content.

Mr. Johnson moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 333-20: AUTHORIZATION TO EXECUTE CONTRACT WITH LYONS CENTRAL SCHOOL DISTRICT TO PROVIDE SPECIAL EDUCATION OR PROGRAMS TO PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS FOR WAYNE COUNTY PUBLIC HEALTH

Mrs. Jacobs presented the following:

WHEREAS, the County is required to contract for approved special education services or programs pursuant to Section 4410 of the Education Law; and

WHEREAS, the Lyons Central School District has been approved by the New York State Education Department to provide Special Education or Programs to preschool children with handicapping conditions; and

WHEREAS, Wayne County Public Health wishes to contract with Lyons Central School District to provide Core, Supplemental and Educational Evaluations, at a rate specified by the New York State Education Department, for the period of July 1, 2020 to June 30, 2021; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract and sign contract amendments that add or remove services with Lyons Central School District to provide Core, Supplemental, and Educational Evaluations for preschool children with handicapping conditions, at a rate specified by the New York State Education Department, for the period of July 1, 2020 to June 30, 2021, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 334-20: AUTHORIZATION TO EXECUTE CONTRACT WITH LYONS CENTRAL SCHOOL DISTRICT TO PROVIDE RELATED SERVICES TO PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS FOR WAYNE COUNTY PUBLIC HEALTH

Mrs. Jacobs presented the following:

WHEREAS, the County is required to contract for approved special education services or programs pursuant to Section 4410 of the Education Law; and

WHEREAS, the Lyons Central School District has been approved by the New York State Education Department to provide Related Services to preschool children with handicapping conditions; and

WHEREAS, Wayne County Public Health wishes to contract with the Lyons Central School District for the provision of Related Services for the period of July 1, 2020 to June 30,

2021 for the following services and rates:

- Speech Therapy - \$70/.5hr
- Occupational Therapy - \$70/.5hr
- Physical Therapy - \$70/.5hr
- Psychological Services - \$70/.5hr
- Group (up to 5) - \$50/.5hr/child
- 1:1 Aide - \$12/.5hr
- Coordination of Services - \$20/.5hr

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract and sign contract amendments that add or remove services with Lyons Central School District to provide Related Services to preschool children with handicapping conditions for the above listed services and rates for the period of July 1, 2020 to June 30, 2021, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 335-20: AUTHORIZATION FOR THE WAYNE COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH SIGHTRITE EYE CARE SERVICES

Mrs. Jacobs presented the following:

WHEREAS, 360care currently provides optometry services to the nursing home's residents; and

WHEREAS, 360care notified the nursing home that they are discontinuing their services in New York effective July 13, 2020; and

WHEREAS, that the Wayne County Nursing Home identified a vendor, SightRite Eye Care Services, that specializes in providing Optometry services to nursing home residents; and

WHEREAS, there is no cost to the County for the optometry services to the nursing home's residents; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to sign the contract with SightRite Eye Care Services effective July 14, 2020 through July 14, 2023, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 336-20: APPROVAL OF ADMINISTRATIVE AGREEMENT BETWEEN THE CHIEF ELECTED OFFICIALS AND THE FINGER LAKES WORKFORCE INVESTMENT BOARD

Mr. Verno presented the following:

WHEREAS, the Workforce Investment Act (WIA) requires an Administrative Agreement between the Chief Elected Officials of the participating Counties and the Finger lakes Workforce Investment Board for the allocation of Title I Workforce Investment Act funds, for the designation of the (One Stop Operator's) Career Center, and the definition of responsibilities for fiscal and program operations; and

WHEREAS, this Agreement defines the responsibilities and working relationships between the Counties of Ontario, Seneca, Wayne, and Yates, and the Finger Lakes Workforce Investment Board Inc.; and

WHEREAS, this Agreement serves to define the operational as well as program and fiscal responsibilities of each party for the period July 1, 2020 through June 30, 2022; now, therefore, be it

RESOLVED, that the Wayne Board of Supervisors authorizes the Board Chairman, to enter into this Agreement with the participating Counties and the Finger Lakes Workforce Investment Board Executive Director; and be it further

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

the Commissioner's Regional Representative of the New York State Department of Labor.

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

RESOLUTION NO. 337-20: AUTHORIZATION TO EXECUTE CONTRACT WITH GENESEE REGION HOME CARE – ONTARIO COUNTY D/B/A HOME CARE PLUS FOR PERSONAL CARE SERVICES PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Verno presented the following:

WHEREAS, the Personal Care Services Program (PCSP) is a mandated Medicaid Program; and

WHEREAS, the New York State Department of Health (DOH) has revised and updated its model contract; and

WHEREAS, the new PCSP model reflects changes to the Personal Care Services Program between 1979 and 2005, new Federal HIPAA compliance requirements, as well as changes resulting from the transfer of this program from NYS DSS to NYS DOH in 1999, and this model contract is written pursuant to Title 11 of Article 5 of the New York Social Service Laws and Title XIX of the United States Social Security Act; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract, subject to review by the County Attorney, with Genesee Region Home Care – Ontario County D/B/A Home Care Plus for the provision of the Personal Care Services Program for the timeframe October 1, 2019 and ending September 30, 2020.

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

RESOLUTION NO. 338-20: 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, Ann Scheetz, who was previously appointed to the Finger Lakes Workforce Development Board, has chosen not to accept another three year term, and her position on the WIB Board must be refilled; 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:

Michelle Jungermann Director, Meaningful Activities Ontario ARC Organization Serving Individuals with Disabilities; now, therefore, be it

RESOLVED, that the appointment of Michelle Jungermann be approved by the Legislative Board; and that certified copies of this resolution be sent to Seneca, Yates, and Ontario Counties, and to the Workforce Investment Board.

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

RESOLUTION NO. 339-20: AUTHORIZE CONTRACT WITH VICTIM RESOURCE CENTER OF THE FINGER LAKES, INC. FOR THE PROVISION OF DOMESTIC VIOLENCE RESIDENTIAL SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Verno presented the following:

WHEREAS, Wayne County Department of Social Services (DSS) is responsible for ensuring a safe place is available for victims of Domestic Violence; and

WHEREAS, Victim Resource Center of the Finger Lakes, Inc., (VRC) is certified to

provide residential services in Wayne County; and

WHEREAS, VRC has provided such residential services in a competent manner in the past; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract with the Victim Resource Center of the Finger Lakes, Inc., subject to the County Attorney's approval as to form and content, for the provision of Residential Domestic Violence Services in accordance with 18 NYCRR 408. The term of the contract will be 1/1/20 through 12/31/20 at a cost not to exceed \$70,000.

Mr. Johnson moved the adoption of the resolution. Seconded by Mrs. Leonard. Upon roll call, adopted.

RESOLUTION NO. 340-20: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE BONADIO GROUP TO AUDIT THE CONSULTANT FOR THE ARCADIA ZURICH BRIDGE PROJECT IN ARCADIA

Mrs. Bender presented the following:

WHEREAS, this project is federally funded and requires a Consultant Audit Report for projects with consultant contracts greater than \$300,000.00; and

WHEREAS, the County is desirous to engage The Bonadio Group to perform this audit; and

WHEREAS, The Bonadio Group has the ability to provide this service for \$6,000.00; and

WHEREAS, the audit engagement is required by NYSDOT in completing a contract close-out of the engineering consultants' contract and reimbursable under the project contract; and

WHEREAS, the Public Works Department budget includes funds for this service; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne with The Bonadio Group subject to the approval of the County Attorney for a cost not to exceed \$6,000.00.

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

RESOLUTION NO. 341-20: AUTHORIZATION TO EXECUTE A CONTRACT OF AFFILIATION BETWEEN THE WAYNE COUNTY DEPARTMENT OF AGING & YOUTH AND KEUKA COLLEGE FOR STUDENT FIELDWORK INTERNSHIP EDUCATION

Mr. Verno presented the following:

WHEREAS, Keuka College has established educational programs in social work that require students to obtain and receive fieldwork educational experiences; and

WHEREAS, the Department of Aging and Youth is willing to accept students interested in working with the aging population for said fieldwork experiences from Keuka College; and

WHEREAS, this arrangement is mutually beneficial to all parties; however, more particular to the Department of Aging and Youth, as providing this fieldwork educational program experience to students assists the county in meeting and addressing the increasing community needs for senior services; now, therefore, be it

RESOLVED that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract between Keuka College and Department of Aging and Youth, subject to County Attorney approval as to form and content, to provide students with fieldwork educational internships at for the Department of Aging and Youth for academic periods during 2020 through December 31, 2021.

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

EXECUTIVE SESSION

Mr. Verkey moved, seconded by Mr. Lasher that the Board go into executive session at 9:32 a.m. to discuss a personal matter. Motion carried.

REGULAR SESSION

The Board resumed regular session at 9:55 a.m.

Fitch and Associates Representative Todd Sheridan gave a remote presentation on the results of an Emergency Medical Service Study/Report for Wayne County.

Jim Lee, County EMS Director, opened the presentation with a review of the need for a study on the County's emergency services system and what improvements are needed; the last review was done 20 years ago. The County paid \$49,200 for this survey. Mr. Lee said he does not want the results of this study sitting on a shelf, but having recommendations for improvements to the system implemented. He stated the need for more funding and more individuals to participate in local EMS programs. The one problem with results was not all EMS agencies in the County agreed to participate in this survey. This presentation will be made to all EMS agencies beginning next week.

Mr. Sheridan stated that he, along with other Fitch & Associates staff members, had been in Wayne County to conduct this survey; and more recently, had regular phone calls with Jim Lee, Bill Liddle (EMS Coordinator) and others. Both the financial and operational side of current EMS systems were reviewed. Following the system's review in 1999, Wayne County put their current ALS system into place; no progress had been made on the system since then. Response times have not changed. At this time there are only 13 EMS agencies providing services within the County; with only seven submitting completed survey forms. Mr. Sheridan reviewed how the County financially subsidizes all EMS operations through space rentals, vehicle usage, personal time and medical reimbursements received for service.

Mr. Sheridan reviewed critical findings of the survey:

- ❖ System response time has to change, it is nearly 21 minutes at this time.
- ❖ The County's 911 system is key to the operation of the EMS system. The County needs to work with EMS agencies, better communication is needed as to the availability of staff so time is not wasted on call outs. Each EMS unit needs to tell 911 when full response is at a scene.
- ❖ Many EMS systems are struggling financially and for qualified/active staff. Mr. Sheridan said all agencies should prepare succession plans in case they cannot continue their operation. The County is subsidizing all programs.
- ❖ EMS agencies are not transparent to the County as they are managed at the local level. Without financial oversight of these systems it is difficult for the County to know the future of their agencies.

Recommendations made in the survey:

- ❖ The County needs a more active role in how EMS is offered across the community. Mr. Sheridan said the County should obtain a Certificate of Need for transportation services and should have their 911 Dispatch Center provide a monthly report of activities to the Board.
- ❖ The County should implement an automatic vehicle device system, so the closest resource can be called upon to increase efficiencies.
- ❖ The County should dedicate one Medical Director to implement protocols for all systems, to make training and reporting the same with each agency.
- ❖ There needs to be consistency in the financial assessment of each agency.
- ❖ The EMS Board Charter should be updated to allow for consistent reporting by all agencies.

Of 52 benchmarks for EMS systems, Wayne County only met five completely. Turn out time averages nearly eight minutes, with arrival time averaging over 20 minutes. Mr. Sheridan said arrival time should be reduced to 15 minutes; this could only be done by increasing the number of EMS units or making changes in current callout protocol.

Action the County can take:

- ❖ Do nothing, no cost.
- ❖ Target response time goal report monthly, hire additional County EMS personnel and set additional performance standards.
- ❖ Make sure every agency has adequate staff to respond.
- ❖ Develop a countywide sustainable EMS system

Mr. Groat stated the difficulty in getting volunteers for EMS services and questioned how revenue recovery could be increased for municipalities to improve their service and obtain a Certificate of Need (CON).

Mr. Sheridan noted that due to the large amount of Medicare and Medicaid recipients in Wayne County, funding and revenue recovery back to municipalities is expected to be a small amount. Further, he stated that the County will have to make a decision if they are going to take a more active role in the community EMS system.

Mr. Robusto questioned if any municipalities outsource these services to private agencies. Mr. Sheridan said that a few of the rural areas of the County do not allow for this.

Mr. Kolczynski questioned if the survey was accurate, as so few agencies responded. Mr. Sheridan said that due to the lack of response, the internal benchmarks could be looked into; however, it was the financial part of the agencies that was difficult to review.

Supervisors were requested to direct any questions following their review of this report to Jim Lee at 315-946-5912 or jlee@co.wayne.ny.us

It was agreed that this report would be discussed again at the August Public Safety Committee meeting and that a sub-committee may be formed to decide what action should be taken following this report.

Mrs. Leonard requested that she be named to this sub-committee.

Todd Sheridan concluded this report and thanked everyone for this opportunity to make this presentation to the board members this morning.

ADJOURNMENT

The next scheduled meeting of the Board will be **Monday, August 10, 2020 at 11:00 a.m.** at the Wayne County Nursing Home Outdoor Pavilion, 1529 Nye Road, Lyons.

Mr. Chatfield moved, seconded by Mr. Verkey, that the board adjourn at 10:54 a.m. Carried.

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