

15th Day
Monday, August 10, 2015
11:00 a.m.

The August Board meeting was held on opening day of the 160th Annual Wayne County Fair within the Village of Palmyra, with Chairman James Hoffman presiding.

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

Chairman Hoffman introduced Lt. Col. (Ret.) Thomas Dawes to today's Board Meeting to sing the National Anthem. Lt. Col. Dawes, resident of the Town of Williamson, is a World War II Veteran and also served as a navigator in the Korean and Viet Nam Wars; and celebrated his 94nd birthday this year.

NATIONAL ANTHEM - Lt. Col. (Ret.) Thomas R. Dawes Sr.

PROCLAMATION OF APPRECIATION

Chairman Hoffman took this opportunity, on behalf of the Board, to present a board proclamation and to thank Lt. Col. Dawes for being here today to sing our National Anthem; and for his dedicated service to our country.

The Chairman thanked Pamela Farranti, President of the Wayne County Fair and the 2015 Wayne County Fair Apprentice, Taylor Scott, from the Town of Sodus, with accommodating and hosting the County Board Meeting at this location, as we greatly enjoy and appreciate the hospitality.

The Clerk called the roll and all Supervisors were in attendance, along with County Administrator James Marquette and County Attorney Daniel Connors.

Taylor Scott, WC Fair Apprentice, welcomed Wayne County Board Members and staff to the 2015 Wayne County Fair and thanked everyone for attending this on this opening day.

Also acknowledged and welcomed were former members of the Wayne County Board of Supervisors: Bob Plant, Jody Bender, Lucinda Collier, Bob Kelsch and Jim Switzer. The Chairman further introduced Margaret Haroff, former Nursing Home Administrator, his dear friend, Barbara Nittolo from Pultneyville, New York; his sister, Barbara Ann Guiney of Williamson, along with Hom Lal Shrestha from Kathmandu, Nepal, an AFS Foreign Exchange Student attending Northstar Christian Academy in Brighton.

APPROVAL OF MINUTES:

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

COMMUNICATIONS:

The Chairman requested a motion to waive the reading of the following communications received and to approve them as listed. Ms. Park moved, seconded by Mrs. Crane. Motion carried.

A copy of the letter and complete version of the Town of Tyre modified Development Plan for the proposed Lago Resort and Casino Development was received from Bond, Schoeneck & King, PLLC. Documents included a modified Site Plan, an updated Part 1 FEAF (Full Environmental Assessment Form-July 16, 2015) and the updated Comprehensive Plan, reflecting the current proposed Project features and supporting documentation, for the purpose of requesting any written comments before 8/15/15 on the potential environmental impacts of this proposed project to address town needs and interests in the community.

A note of congratulations was received from Penny Gugino of the Tobacco Action Coalition of the Finger Lakes (TACFL) for setting an example for our youth and help making the Finger Lakes a healthier place to live, work and play.

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

A copy of the July 22, 2015 Professional Advisory Committee Meeting Minutes were received and filed as per state requirements, after being accepted by the Wayne County Health and Medical Services Committee.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments, including the July warrants for accounts payable totaling \$5,787,527.88 was received and filed.

A letter was received from James A Dawley III, spokesperson for 'Casino Free Tyre', requesting the Wayne County Board to not support the proposed casino in Seneca County with its renewed development project proposals submitted by the developer, Wilmot.

Mrs. Deyo moved, seconded by Mr. LeRoy to receive and file the Communications for this month. Motion carried.

PROCLAMATION OF APPRECIATION

Sheriff Barry Virts presented a Proclamation of Appreciation to Christine Bray, Wayne County Corrections Officer, for her dedicated service of 25 years to Wayne County, serving from June 1990 to August 2015.

PRIVILEGE OF THE FLOOR:

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

RESOLUTION NO. 448-15: AUTHORIZE CONTRACT WITH LEGAL ASSISTANCE OF WESTERN NEW YORK, INC. FOR LEGAL ADVOCACY SERVICES

Mr. Manktelow presented the following:

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

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

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract on behalf of the Wayne County Department of Social Services, subject to the County Attorney's review as to form and content, with Legal Assistance of Western New York, Inc. for the provision of Legal Advocacy Services during the 1/1/15 – 12/31/15 timeframe at a cost not to exceed \$40,000.

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

RESOLUTION NO. 449-15: AUTHORIZATION TO SIGN AGREEMENT WITH CHILD CARING INSTITUTION HILLSIDE CHILDREN'S CENTER FOR CHILDREN'S SERVICES INC.

Mr. Manktelow presented the following:

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

WHEREAS, payment for these services is not determined by the county but is dictated by New York State; and

WHEREAS, it has been the practice of DSS to have in place contracts with various child caring institutions to facilitate a child's placement on a timely basis; now, therefore, be it

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

authorized to execute an agreement with Hillside Children's Center for Children's Services, Inc., for the time frame 7/1/15-6/30/16 for the purchase of foster care for children, subject to the County Attorney's approval as to form and content for an amount not to exceed \$500,000.00.

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

RESOLUTION NO. 450-15: AUTHORIZATION TO AMEND BUDGET FOR CHILD SUPPORT UNIT TO PROVIDE REQUIRED REPAYMENT FUNDS

Mr. Manktelow presented the following:

WHEREAS, the Child Support Unit of the Department of Social Services has earned Incentive Payments based on meeting New York State Office of Temporary and Disability Assistance (NYS OTDA) benchmarks, and

WHEREAS, prior to 2008, these incentive payments were designated to the Child Support Unit account and used to cover reimbursements necessitated by such transactions as negative tax offsets; and

WHEREAS, these proceeds have not been designated to that account and have been treated as general revenue since January 2008; and

WHEREAS, the total of incentive funds earned by the Child Support Unit from 2008 - 2014 was \$470,323 which is more than is needed to keep the Child Support Unit account solvent, and

WHEREAS, the amount of \$75,000 (16% of the total Incentive Payments earned) is needed to keep the Child Support Unit account solvent in order to ensure that sufficient funds are available if repayment is necessary, now therefore be it

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

A1990 CONTINGENT FUND GEN
\$75,000 from 54000 Contractual Expenses

A6109 SOCIAL SERVICES FAMILY ASSISTANCE
\$75,000 to .54721 Repayment to NYS and IRS

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

RESOLUTION NO. 451-15: AUTHORIZING RENEWAL OF CONTRACT WITH MICHAEL ADSIT, DDS FOR DENTAL SERVICES AT THE WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

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

WHEREAS, the Wayne County Nursing Home desires to renew said contract with Michael Adsit, DDS for the provision of Dental Services at the Wayne County Nursing Home effective October 1, 2015 to September 30, 2016 at a cost of \$33,207.12 per year payable in 12 monthly installments of \$2,767.26 a month; and now therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract with Michael Adsit, DDS for Dental Services at the Wayne County Nursing Home at an annual rate of \$33,207.12 payable in 12 monthly installments \$2,767.26 a month, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 452-15: AUTHORIZING CONTRACT FOR TELE-PSYCHIATRY SERVICES FOR THE WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

WHEREAS, the nursing home residents would greatly benefit from psychiatric assessments and treatment including counseling services via Telemedicine; and

WHEREAS, the Wayne County Nursing Home is desirous to contract with Milestone Psychiatric and Psychological Services, P.C. (MPPSPC) for the provision of psychiatric diagnostic and therapeutic services; and

WHEREAS, MPPSPC will bill third-party payers and residents as appropriate for the services rendered; and

WHEREAS, the Wayne County Nursing Home recommends that a contract be authorized with MPPSPC effective August 13, 2015 and to renew automatically for successive one (1) year periods at no cost to the facility; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with MPPSPC for the provision of psychiatric diagnostic and therapeutic services via Telemedicine effective August 13, 2015 and to renew automatically for successive one (1) year periods at no cost to the facility, until written notice is provided by either party with an intention to terminate the agreement, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 453-15: AUTHORIZATION TO EXECUTE CONTRACT FOR TRANSITION SERVICES AT THE WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

WHEREAS, the current agreement with Judith Seier for the provision of financial transitional services expires September 30, 2015; and

WHEREAS, it is anticipated that this service might be required through the end of March 2016; and

WHEREAS, the Nursing Home Administrator desires to extend the current agreement from September 30, 2015 to March 31, 2016 on a "as needed basis"; and now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisor's be authorized and directed to extend the agreement with Judith Seier on behalf of the Wayne County Nursing Home, subject to the County Attorney's approval as to form and content for the period September 30, 2015 to March 31, 2016 as needed at a cost \$75 per hour not to exceed \$10,000.

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

RESOLUTION NO. 454-15: AUTHORIZATION TO PURCHASE EQUIPMENT FOR THE WAYNE COUNTY NURSING HOME

Mr. Groat presented the following:

WHEREAS, the floor scrubber is in constant need of repair and is needed to maintain the floors in the facility and was planned to be in the 2016 Budget for replacement; and

WHEREAS, the commercial microwave in the dining room is not repairable and is used on a daily basis for resident meal service; and

WHEREAS, the purchase cost for the floor scrubber is \$7,889.99; and

WHEREAS, the purchase cost for the microwave is \$900.70; and

WHEREAS, these items are not in the budget addendum for 2015; and

WHEREAS, the Wayne County Nursing Home desires to purchase the floor scrubber and microwave this year to and will not be purchasing the buffet carts included in the 2015 budget; now, therefore, be it

RESOLVED, that the Nursing Home Administrator is hereby authorized to purchase the floor scrubber from Direct Supply for \$7,889.99 and the microwave from Performance Interior/Sodexo for \$900.70.

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

RESOLUTION NO. 455-15: AUTHORIZATION TO EXECUTE CONTRACT FOR COMPANION RADIO SERVICE AGREEMENT AT WAYNE COUNTY NURSING HOME, ACCEPT DONATION, AND AMEND BUDGET

Mr. Groat presented the following:

WHEREAS, to enhance leisure time services by bringing 24 hour per day radio programming specially designed for the residents of the Wayne County Nursing Home; and WHEREAS, Companion Radio Networx Corporation provides such a service at a cost of \$575 installation and \$240 per month user fee for a 36 month contract; and

WHEREAS, the Wayne County Nursing Home Foundation, Inc. has agreed to pay the monthly user fee for 3 years; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute a contract for 36 months with Companion Radio Networx Corporation for Companion Radio services at the Wayne County Nursing Home at an installation cost of \$575.00 and a \$240.00 per month user fee, subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby accepts the donation of \$8,640 from the Wayne County Nursing Home Foundation, Inc to be paid to the County at agreed upon intervals over the next 36 months; and be it further

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

E6000 NH Combined

(revenue)

\$960 to .42705 Gifts and Donations

(appropriations)

\$960 to .54898 Service Contracts

and be it further

RESOLVED, that donations and costs will be budgeted in the Nursing Home budget for the respective ensuing years of the contract referenced herein.

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

RESOLUTION NO. 456-15: AUTHORIZATION TO ESTABLISH A MEDICAL COUNTER MEASURE PUSH POD (POINT OF DISPENSING) MEMORANDUM OF UNDERSTANDING WITH LIFE TIME CARE HOME CARE AGENCY

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) is required to be able to respond to a disease outbreak, biological toxin release, and a weather emergency event at all times; and

WHEREAS, WCPH has identified that establishing Push PODS (Point of Distribution) Clinics throughout the county to provide mass prophylaxis of clients, employees and employee family members of an organization to be an efficient way to dispense oral medications and/or vaccinations in a timely manner; and

WHEREAS, WCPH has identified that certified home health agencies are such organizations that a Push POD could easily be implemented; and

WHEREAS, all oral medication and/or vaccinations will be provided "pushed" to the certified home health agency and just-in-time training would occur for each situation; and

WHEREAS, WCPH wishes to establish a Memorandum of Understanding with Life Time Care home health agency to establish a Push POD in disease outbreak, biological toxin release or severe weather event situations to prophylaxis their clients, employees and employee's family members; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to establish a Memorandum of Understanding between Wayne County Public Health and Life Time Care home health agency to establish a Push POD (Point of Dispensing) Clinic to dispense oral medications and/or vaccination to their clients, employees and employee's family

members in a disease outbreak, biological toxin release or severe weather event situations, subject to the approval of the County Attorney as to the form and content.

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

RESOLUTION NO. 457-15: ADOPTION OF SALARY ADMINISTRATION PROGRAM AND STRUCTURE FOR 2016 FOR THE MANAGERIAL/CONFIDENTIAL EMPLOYEES GROUP

Mrs. Crane presented the following:

WHEREAS, the County implemented a Salary Administration Program for the Managerial/Confidential employees group (M/C) effective June 14, 2014; and

WHEREAS, the Salary Administration Program established pay grades with minimum, midpoint, and maximum salaries or hourly rates and assigned positions to these pay grades; and

WHEREAS, under this program, salary or hourly rate adjustments are to be made on the basis of the adopted performance review process; and

WHEREAS, performance reviews conducted by appointing authorities for the period July 1, 2014 through June 30, 2015 are the basis for changes in compensation beginning January 1, 2016; and

WHEREAS, the M/C Employee Group Salary Administration Program as adopted states that employees whose rate of pay is below the established midpoint will move more quickly to the midpoint than employees above the midpoint will move to the maximum of the designated pay grade; and

WHEREAS, the resulting pay changes will be incorporated into the County budget for 2016; now, therefore, be it

RESOLVED, that the attached Salary Administration Program is hereby adopted to implement salary and hourly rate changes for the employees of the Managerial/Confidential Employees Group beginning January 1, 2016; and be it further

RESOLVED, that the respective Local Law and Salary Schedule Resolutions will continue to be reviewed and adopted annually.

Wayne County Department of Human Resources

M/C Employees Salary Administration Program for Fiscal Year 2016

General Rules:

1. All employees at the 2015 minimum established rate of the appropriate pay grade will move to the minimum rate for 2016. No employee will fall below the established pay grade minimum.
2. No employee can move above the maximum rate established for the appropriate pay range. Any employee who is above the maximum rate in 2015 shall be maintained at his/her current rate of pay until that rate falls below the maximum established for the pay grade.
3. An employee who receives a rating of "unsatisfactory" will be held at his/her current rate of pay as long as this pay rate is equal to, or greater than the minimum established for 2016.
4. An employee who receives a rating of "needs development" may receive a pay adjustment of up to 1.0% unless such adjustment would cause the employee's pay rate to fall below the established minimum for the assigned pay grade. In such a case, the employee will move to the minimum.
5. Any employee who receives a rating of "unsatisfactory" or "needs development" must be counseled. Further, he or she will collaborate with the appointing authority to develop a performance improvement plan. This plan will become part of the employee's performance appraisal process for the period July 1, 2015 – June 30, 2016.
6. Generally, we expect employees to move to the midpoint more quickly than they move from the midpoint to the maximum, which is why there are different pay percentages shown in the table below.

2016 base salaries (excluding longevity) will be calculated as follows:

Performance Rating	Below midpoint	At or above midpoint
Unsatisfactory	No rate change, but cannot fall below the minimum	No rate change, but cannot fall below the minimum
Needs Development	Apply a COLA of 1%, but cannot fall below established minimum of pay grade	Apply a COLA of 1%, but cannot fall below established minimum of pay grade
Meets Expectations	COLA plus 1.5% = 3%	COLA plus .5% = 2% But cannot exceed maximum
Exceeds Expectations	COLA plus 2% = 3.5%	COLA plus 1% = 2.5% But cannot exceed maximum
Exemplary Performance	COLA plus 2.5% = 4%	COLA plus 1.5% = 3% But cannot exceed maximum

Mr. Smith moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, all Supervisors voted Aye, except Supervisor Groat who Abstained from voting. The Chairman declared the Resolution adopted.

RESOLUTION NO. 458-15: AUTHORIZATION TO ESTABLISH 2016 WORKERS' COMPENSATION PLAN PREMIUM-EQUIVALENTS

Mrs. Crane presented the following:

WHEREAS, the County of Wayne is required to establish premium-equivalents for 2016 for the Self-Insured Workers Compensation Plan; and

WHEREAS, said premium-equivalents shall be adopted by the Wayne County Board of Supervisors for each member of the Self-Insured Workers Compensation Plan; now, therefore, be it

RESOLVED, that the County of Wayne hereby adopts the following premium-equivalents for 2016 for the Self-Insured Workers Compensation Plan:

Wayne County	\$ 1,903,396	Village of Clyde	\$ 11,481
Town of Arcadia	\$ 45,604	Village of Lyons	\$ -
Town of Butler	\$ 10,532	Village of Newark	\$ 239,746
Town of Galen	\$ 13,163	Village of Palmyra	\$ 59,023
Town of Huron	\$ 28,446	Village of Red Creek	\$ 3,217
Town of Lyons	\$ 57,232	Village of Sodus	\$ 34,299
Town of Macedon	\$ 96,539	Village of Sodus Point	\$ 14,057
Town of Marion	\$ 49,305	Village of Wolcott	\$ 12,838
Town of Ontario	\$ 84,589		
Town of Palmyra	\$ 24,465		
Town of Rose	\$ 13,499		
Town of Savannah	\$ 34,184		
Town of Sodus	\$ 89,898		
Town of Walworth	\$ 69,948		
Town of Williamson	\$ 50,374		

Town of Wolcott \$ 17,175

and, be it further

RESOLVED, that in addition to the amounts shown above, the following participants also have the following installments for the corrections to 2010 and 2011 under-assessments as authorized in Resolution No. 803-11, due in 2016:

Town of Lyons	\$	2,551	Village of Palmyra	\$	406
Town of Marion	\$	985	Village of Wolcott	\$	386
Town of Ontario	\$	6,938			
Town of Palmyra	\$	2,439			
Town of Rose	\$	1,091			
Town of Savannah	\$	3,043			
Town of Sodus	\$	4,285			
Town of Walworth	\$	4,403			
Town of Williamson	\$	1,994			

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

RESOLUTION NO. 459-15: AUTHORIZATION TO MAKE SALARY EQUITY ADJUSTMENTS FOR SPECIFIED COUNTY EMPLOYEES IN THE MANAGERIAL/CONFIDENTIAL EMPLOYEES GROUP

Mrs. Crane presented the following:

WHEREAS, the County implemented a pay plan for the Managerial/Confidential employees group (M/C) effective June 14, 2014, and

WHEREAS, the pay plan established pay grades with minimum, midpoint, and maximum salaries or hourly rates and assigned positions to these pay grades, and

WHEREAS, issues of pay equity within the established pay ranges have been reviewed for employees with long-term service, and

WHEREAS, the Director of Human Resources has analyzed the current salaries of M/C employees to determine if pay adjustments are justified, and

WHEREAS, the rate of pay for each M/C employee with ten (10) or more years of service as of June 14, 2014 in his/her current position title was compared to the midpoint of the appropriate salary range to determine which employees fell below the midpoint, and

WHEREAS, the Human Resources Director and County Administrator presented the information to the Management/Confidential Plan Oversight Committee; and

WHEREAS, upon review of the Oversight Committee, the County Administrator, and the Human Resources Director, it was decided to present the recommendation to the Government Operations Committee and to the Board of Supervisors; and

WHEREAS, according to these criteria, twelve employees were identified and are hereby recommended for a one-time salary or hourly rate adjustment to bring them to the midpoint of the designated pay grade, and

WHEREAS, this salary or hourly rate adjustment shall be made effective August 14, 2015, the start of the first full pay period after adoption, and

WHEREAS, this salary or hourly rate adjustment will not be retroactive, now therefore be it

RESOLVED, that the following employees shall be moved to the following pay rates effective August 14, 2015.

Salaried:		Pay Grade	Midpoint
Stevens	Richard	10	\$82,675
McCormick	Jacqueline	10	\$82,675
Wiarda-Shockley	Penny	8	\$65,908
Worth	Christine	7	\$58,846
McGonigal	Kathy	7	\$58,846
Rothfuss	Ora	7	\$58,846
Borelli	Kelly	5	\$46,497
Krebbeks	Joyce	5	\$46,497
Evans	Peter	4	\$41,308
Hourly:			
Fox-Groat	Kathy	4	\$22.61
Cahoon	Kathleen	3	\$20.01
Fasano	Giovanna	3	\$20.01

Mrs. Marini moved the adoption of the resolution. Seconded by Mr. Kolczynski. Upon roll call, all Supervisors voted Aye, except Supervisor Groat who Abstained from voting. The Chairman declared the Resolution adopted.

RESOLUTION NO. 460-15: REQUESTING STATE MUNICIPAL HOME RULE LEGISLATION TO IMPOSE A HOTEL OR MOTEL OR SEASONAL RENTAL OCCUPANCY TAX FOR THE COUNTY OF WAYNE

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne presently does not have authority to enact a local law that would impose a hotel or motel or seasonal rental occupancy tax; and

WHEREAS, the proceeds of said tax would be used to promote the general welfare of the residents of Wayne County and fund county operations; and

WHEREAS, State Legislation will be necessary for the County to impose said tax; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby requests State Legislators, Senator Michael Nozzolio and Assemblymen Robert Oaks to prepare a Municipal Home Rule Statute giving the County of Wayne authority to enact a hotel or motel or seasonal rental occupancy tax in the amount of 5% (five percent).

Mr. Colacino moved the adoption of the resolution. Seconded by Mr. Hammond.

Mr. Baldrige addressed Board Members to state that he would not be supporting this imposition of a hotel/motel occupancy tax as it would be counter-productive for our area and cause the possibility of competition with Wayne County businesses associated with tourism. Further, when faced with the changes in the NYS property tax cap, he felt that this is not to time to impose another tax on our residents.

Mrs. Crane commented that in her extensive travels where these taxes are applied, not once did she review or reconsider staying there because of the occupancy tax that was charged.

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

RESOLUTION NO. 461-15: RESOLUTION OF THE COUNTY OF WAYNE, NEW YORK OPPOSING LPG STORAGE ADJACENT TO SENECA LAKE

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne recognizes the importance of the Finger Lakes water shed as a whole and specifically Seneca Lake to the State, Region and local communities; and

WHEREAS, it has come to the attention of the Wayne County Board of Supervisors that a plan has been proposed for storage of LPG and other Carbon based fuels in large

quantities in unlined abandoned salt caverns, adjacent to and beneath the shores of Seneca Lake; and

WHEREAS, the County of Wayne is keenly aware of the role played by Seneca Lake in providing drinking water for over 100 thousand residents in the Finger Lakes Region, its designation as a scenic by-way, its role as a recreational asset and in promotion of area tourism and the burgeoning Wine and Brewing Industry as well as its importance to the fish and wildlife of the Finger Lakes area; and

WHEREAS, it is the understanding of the Wayne County Board of Supervisors that a specific site, Well 58, proposed for such storage had previously been plugged and abandoned by the prior owner, New York State Electric and Gas Corp. and deemed no longer appropriate for storage of the type proposed by the current owner; and

WHEREAS, the County of Wayne is deeply concerned with reports of the failure of structures of the same type being suggested for such storage at Seneca Lake due to earth tremors of the same severity sometimes experienced in up-state New York as well as reports of leakage in similar structures that are neither designed nor built specifically for the purpose proposed; and

WHEREAS, catastrophic consequences to the Lake and the Finger Lakes Water Shed would be unavoidable in the event of a similar event taking place at the proposed storage site; and

WHEREAS, the County of Wayne is aware that the Department of Environmental Conservation has expressed similar concerns over such site failures both here and at other similar facilities around the country; now, therefore be it

RESOLVED, that the County of Wayne joins many other Finger Lakes regional municipalities in respectfully requesting that the New York State Department of Environmental Conservation deny approval of the permit for the storage of LP Gas adjacent to or under Seneca Lake and exercise its power in assisting in the determination of a more appropriate location for such a storage site outside the Finger Lakes Watershed; and it is further

RESOLVED, that a copy of this resolution be forwarded to the United States Environmental protection Agency, Federal Energy Regulatory Commission, Governor Cuomo, Senator Michael Nozzolio, Assembly Minority leader Brian Kolb, Assemblyman Philip Palmesano, Assemblyman Bob Oaks, the Mayor of Watkins Glen, New York, the Schuyler County Legislature, the Yates County Legislature, the Ontario County Board of Supervisors, Seneca County Board of Supervisors, Cayuga County Legislature, Tompkins County Legislature, the City of Geneva Common Council, Village of Watkins Glen and the Reading Town Board.

Mr. Manktelow moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, all Supervisors voted Aye, except Supervisors Smith and Marini who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 462-15: AUTHORIZE LETTER OF SUPPORT AND SERVICE PROVIDER AGREEMENT WITH BISHOP SHEEN

Mr. Spickerman presented the following:

WHEREAS, Wayne County often receives calls for housing and supportive services from people who qualify as low income, senior citizens and /or living with disabilities; and

WHEREAS, Bishop Sheen Ecumenical Housing Foundation, Inc. (Sheen Housing) is organizing a collaborative effort to improve access to information along with referrals and services to enable lower income residents to live with the greatest possible dignity and quality of life; and

WHEREAS, a collaborative partnership between Wayne County and Sheen Housing will enable an improved capacity for both parties to serve the residents of Wayne County; and

WHEREAS, one of the goals of this partnership is to enable individuals in need to obtain referrals to both housing and supportive services with the shared goal of housing those individuals living as independently as possible for as long as possible; and

WHEREAS, Sheen Housing has applied for, and successfully implemented grant

proposals with funding from the New York State Homes and Community Renewal (DHCR) programs that have benefitted residents of Wayne County; now, therefore, be it

RESOLVED, that, the Chairman is authorized sign the Collaborative Partner Agency and Service Provider Agreement, pending approval of the County attorney as to form and content; and be it further

RESOLVED, that the Chairman is authorized to submit letters of support for Sheen Housing funding applications to DHCR for proposals that will benefit the residents of Wayne County.

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

Supervisor Miller welcomed Board members and staff to the Town of Palmyra for the 160th Year and celebration of the Wayne County Fair.

RESOLUTION NO. 463-15: AUTHORIZATION TO RENEW PARKING LOT LEASE AGREEMENT WITH NYSEG

Mr. Miller presented the following:

WHEREAS, the lease with NYSEG for parking in their lot located between William Street and Geneva Street expires on August 31st, 2015; and

WHEREAS, this asphalt paved parking lot provides 38 parking spaces for use by County employees; and

WHEREAS, the fee for said lease is \$3,605.00 per year; and

WHEREAS, NYSEG has provided a renewal for an additional two year; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the lease agreement for parking as provided by NYSEG subject to review and approval of the County Attorney for two additional years; and be it further

RESOLVED, that the Superintendent of Public Works is authorized to pay said bill from Budget line item A16154.54437 in both the 2015 and 2016 budgets.

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

RESOLUTION NO. 464-15: AUTHORIZATION TO EXECUTE INTERMUNICIPAL AGREEMENT BETWEEN THE COUNTY OF WAYNE AND ONTARIO-WAYNE COUNTIES STORMWATER COALITION

Mr. Miller presented the following:

WHEREAS, the Wayne County Highway Department is a member of the Ontario-Wayne Stormwater Coalition and is required to pay annual dues to the Coalition for its assistance in administering the Phase II federal stormwater regulations; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Ontario-Wayne Counties Stormwater Coalition for an Annual Membership fee of \$5,000 and a Membership In-Kind Match of \$9,000 for the contract period of February 1, 2013 through January 31, 2018.

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

RESOLUTION NO. 465-15: AUTHORIZATION TO AMEND THE PARKS BUDGET AND PURCHASE NEW PARK SIGNAGE

Mr. Miller presented the following:

WHEREAS, the Public Works Department currently maintains 10 Parks throughout the County; and

WHEREAS, the County Parks entrance signs are in very poor condition and in some locations non-existent; and

WHEREAS, the Superintendent of Public Work has been working on possible standardized replacement options for said signage; and

WHEREAS, in 2013 the County completed a WayFinding signage project on the Route 31 Campus and in the Village of Lyons that provided a standard design; and

WHEREAS, the Superintendent of Public Works has contacted the manufacture of these signs and has come up with a design to be used in the County Parks; and

WHEREAS, the proposed cost per sign would be \$720.00; and

WHEREAS, the Superintendent of Public Works has identified remaining funds in the Park Budget from the recently installed of Precast Bathroom Privy of \$4,390 (A7110-52000); and

WHEREAS, the Superintendent recommends the County purchase six (6) of these signs at this time for a total of \$4,320.00; and

WHEREAS, the Superintendent has proposed in the 2016 Park Budget to purchase the remaining park signage; now, therefore, be it

RESOLVED that the Parks Budget is amended to purchase six (6) signs for the County Parks; and be it further

RESOLVED, that the Superintendent of Public Works is authorized to purchase the six (6) signs for the County Parks for a cost not to exceed \$4,320.

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

RESOLUTION NO. 466-15: AUTHORIZATION TO AWARD BID FOR SODUS POINT DOCK REPLACEMENT

Mr. Miller presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the installation of a permanent dock at Sodus Point Beach Park; and

WHEREAS, sealed bids were received and opened on **Tuesday, July 21, 2015 at 2:00 p.m.** and are listed as follows:

	<u>Base Bid</u>	<u>Alternate #1</u> Epoxy Coating
LaValley Bros Marine Const. 6208 N. Huron Rd. Wolcott, NY 14590	\$42,202.84	\$2,125.00
Martin's Custom Tidesides 5500 Fisher Rd Newark, NY 14513	\$26,000.00	\$3,800.00

WHEREAS, the Deputy Superintendent of Public Work has reviewed said bids and recommends awarding the contract to Martin's Custom Tidesides for \$29,800.00 that includes Alternate #1; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Martin's Custom Tidesides for installation of a permanent dock at Sodus Point Beach Park.

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

RESOLUTION NO. 467-15: AUTHORIZATION TO DISPOSE OF SURPLUS COUNTY VEHICLES

Mr. Miller presented the following:

WHEREAS, the Central Garage has several surplus vehicles that are no longer serviceable and should be disposed of; and

WHEREAS, the Superintendent of Public Works and the Central Garage staff have determined that the following list vehicles should be declared surplus and disposed of as

noted:

<u>VEHICLE</u>	<u>DISPOSAL</u>
2002 Chevrolet Cavalier – VIN 1G1JC524227353996	Scrap
2004 Ford Crown Victoria – VIN 2FAHP71W44X179425	Auction
2002 Chevrolet Express van – VIN 1GNFG15W621201687	Auction
2003 Ford Crown Victoria – VIN 2FAFP71W43X121823	Auction
2000 Plymouth Caravan – VIN2P4GP25R6YR503123	Auction
2006 Ford Crown Victoria – VIN 2FAHP71W26X134566	Auction
2004 Ford Crown Victoria – VIN 2FAHP71W04X169491	Auction

now, therefore be it

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

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

RESOLUTION NO. 468-15: AUTHORIZATION TO SELL A SURPLUS VEHICLE TO THE TOWN OF WILLIAMSON

Mr. Miller presented the following:

WHEREAS, the Central Garage has several surplus vehicles that are no longer serviceable and should be disposed of; and

WHEREAS, the Superintendent of Public Works has received a request from the Town of Williamson to purchase a surplus vehicle for use by Town employees; and

WHEREAS, the Superintendent of Public Works has identified a 2009 Ford Crown Victoria (VIN 2FAHP71V39X139898) that would suit the Town's intended use, and has set a fair market value of \$5000.00 on this vehicle; now, therefore be it

RESOLVED, that the vehicles listed above be sold to the Town of Williamson in accordance with the County's Equipment Disposition policy for \$5,000.00.

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

RESOLUTION NO. 469-15: SETTING PUBLIC HEARING DATE FOR 2016-2020 CAPITAL PLAN FOR WAYNE COUNTY

Mr. Miller presented the following:

WHEREAS, the County Administrator submitted the proposed 2014-2018 Capital Plan to the Board of Supervisors on June 10, 2015; and

WHEREAS, the Capital Plan Review was conducted by members of the Public Works, Economic Development and Planning, and Finance Committees on July 27, 2015 and certain changes were made to the plan; and

WHEREAS, during the review of the plan, changes were made to remove projects that were already funded earlier in 2015, reflect changes in grant opportunities for projects, and recognize the need for further review of certain projects; and

WHEREAS, a copy of the revised Capital Plan is on file with the Clerk of the Board of Supervisors and will be posted on the Wayne County web site; 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 **Tuesday, September 15, 2015 at 7:15 pm** to be held in the Supervisors' Chambers in the County Court House, Lyons, New York, to receive and consider public comments on the Capital Plan for Wayne County for the period 2016-2020.

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

RESOLUTION NO. 470-15: AUTHORIZATION TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH SCHUYLER COUNTY TO PROVIDE LAW ENFORCEMENT SERVICES TO THE SCHUYLER COUNTY SHERIFF'S OFFICE AT WATKINS GLEN INTERNATIONAL FOR LARGE SCALE EVENTS.

Mr. LeRoy presented the following:

WHEREAS, the County of Schuyler has requested the assistance of the Wayne County Sheriff's Office to provide additional law enforcement services for regularly recurring emergency situations throughout the summer season due to crowds, traffic volume and related consequences attributable to attendance in excess of 20,000 for large scale events events at Watkins Glen International in the Town of Dix, Schuyler County, New York; and

WHEREAS, The County of Wayne has previously authorized Sheriff Virts to enter into an Intermunicipal Agreement with the County of Schuyler to provide law enforcement services and related equipment to the County of Schuyler during previous auto racing seasons at Watkins Glen International, and

WHEREAS, the County of Schuyler will be declaring a state of emergency for such large scale events; and

WHEREAS, an agreement with the County of Schuyler can be entered into under the authority of the New York State General Municipal Law, which authorizes the use of out-of-county deputies during a declared state of emergency; and

WHEREAS, all Wayne County Sheriff's Office personnel and equipment costs shall be paid for by the County of Schuyler; and

WHEREAS, Sheriff Virts is requesting to enter into an Intermunicipal Agreement with the County of Schuyler for law enforcement services as requested by Schuyler County at such large scale events where a state of emergency is being declared, from August 1, 2015 through August 31, 2020, with all costs being reimbursed to the County of Wayne by the County of Schuyler; now, therefore, be it.

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and the Wayne County Sheriff are hereby authorized and directed to execute an Intermunicipal Agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the County of Schuyler, establishing the terms and conditions for the provision of said law enforcement services and related equipment to the County of Schuyler, at large scale events where a state of emergency is being declared, from August 1, 2015 through August 31, 2020, at Watkins Glen International; and further, be it

RESOLVED, that such agreement shall remain in force for 5 years unless either party shall advise the other in writing of an intent not to renew at least 30 day prior to the anniversary date hereof; and further, be it

RESOLVED, that members of the Wayne County Sheriff's Office who participate in providing services to the County of Schuyler shall do so on a voluntary basis during off duty hours with approved leave time, and shall be considered employees of the County of Schuyler while providing law enforcement services to the County of Schuyler; and further, be it

RESOLVED, that all costs incurred by the County of Wayne shall be reimbursed by the County of Schuyler.

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

RESOLUTION NO. 471-15: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH MONROE COUNTY FOR THE HOUSING OF INMATES

Mr. LeRoy presented the following:

WHEREAS, Monroe County is desirous of entering into an agreement with Wayne County for the housing of Monroe County jail inmates in the Wayne County Jail; and

WHEREAS, Wayne County currently has several similar agreements with other surrounding counties for the housing of their inmates in the Wayne County Jail; and

WHEREAS, the Sheriff is requesting that Wayne County enter into an agreement with Monroe County for the housing of Monroe County Jail inmates in the Wayne County Jail, at a

rate of \$85.00 per day, per inmate, through December 31, 2016; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and the Sheriff are hereby authorized to enter into an agreement with Monroe County for the housing of Monroe County jail inmates in the Wayne County Jail, at a rate of \$85.00 per inmate, per day, through December 31, 2016, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 472-15: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE UNIFIED COURT SYSTEM FOR COURT SECURITY SERVICES AT THE HALL OF JUSTICE

Mr. LeRoy presented the following:

WHEREAS, the County of Wayne has entered into an annual agreement with the New York State Unified Court System for the provision of Court Security services at the Hall of Justice for several years; and

WHEREAS, the current agreement with the Unified Court System expired at the end of the New York State fiscal year, March 31, 2015; and

WHEREAS, a new agreement with the Unified Court System for the time period of April 1, 2015 through March 31, 2016, is ready to be executed; and

WHEREAS, said agreement covers the salaries and benefits of the 10 Wayne County Sheriff's Office Court Security Officers assigned to the Hall of Justice, with the total agreement amount being \$695,512; now, therefore be it

RESOLVED, that the Sheriff and the Chairman of the Board of Supervisors are hereby authorized to sign an Agreement with the New York State Unified Court System for the amount of \$695,512, for the provision of Court Security Services at the Hall of Justice for the time period of April 1, 2015 through March 31, 2016, upon review and approval of the County Attorney.

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

RESOLUTION NO. 473-15: AUTHORIZATION TO AMEND EMERGENCY COMMUNICATIONS BUDGET AND EXPEND FUNDS

Mr. LeRoy presented the following:

WHEREAS, the 2015 budget Equipment Addendum provided for the purchase of three (3) mobile radios at a cost of \$1,500 each and three (3) portable radios at a cost of \$800 each and; and

WHEREAS, the models upon which the above stated pricing have been obsoleted by the vendor; and

WHEREAS, the NY SOGS Contract cost of new mobile radios is now \$2,523 each and the cost of new portables radios is now \$2,261 each; now, therefore, be it

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

A3643 Emergency Communications

(Appropriations)

\$7,452 from .54114 Car Expense

\$7,452 to .52500 Other Equipment

and be it further

RESOLVED, that the Director of Emergency Management Services or his designee is authorized to procure said radios in accordance with Wayne County purchasing policy.

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

RESOLUTION NO. 474-15: AUTHORIZATION TO ACCEPT 2014 HOMELAND SECURITY GRANT AND AMEND BUDGET

Mr. LeRoy presented the following:

WHEREAS, Wayne County has been advised that it has received a 2014 Homeland Security Grant in the amount of \$127,500; and

WHEREAS, this grant will be utilized to purchase a firefighter rehabilitation trailer, mobile data terminal equipment and radiological monitoring equipment; and

WHEREAS, Resolution 191-15 previously authorized the preparation of bid specifications and to request the Clerk of the Board of Supervisors to advertise for a firefighter rehabilitation trailer; and

WHEREAS, it is necessary to amend the 2015 budget within the Project Account budget to accomplish these purchases; now, therefore, be it

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

H3918 Homeland Security

(Revenue)

Amount	Object#	Project ID	Object Name	Project Name
\$127,500	to .43302	SHS14	Homeland Security	State Homeland Security

(Appropriations)

Amount	Object#	Project ID	Object Name	Project Name
\$127,500	to .52000	SHS14	Equipment & Other Cap Outlay	State Homeland Security

and be it further

RESOLVED, that the Wayne County Director of Emergency Management Services is hereby authorized to prepare bid specifications and request the Clerk of the Board of Supervisors to advertise for a firefighter rehabilitation trailer, mobile data terminal equipment and radiological monitoring equipment; and be it further

RESOLVED, that the Director of Emergency Management is hereby authorized to purchase the firefighter rehabilitation trailer in the amount up to \$48,510, and the mobile data terminal equipment and radiological monitoring equipment, in accordance with the county purchasing policy.

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

RESOLUTION NO. 475-15: AUTHORIZATION TO EXECUTE A CONTRACT WITH FINGER LAKES COMMUNICATION FOR RADIO SYSTEM WORK

Mr. LeRoy presented the following:

WHEREAS, Finger Lakes Communication Company, of Auburn, NY, is the firm that designed the majority of the simulcast radio system utilized by the public safety agencies operating in Wayne County; and

WHEREAS, various performance issues currently exist with the system related primarily to the quality of the audio; and

WHEREAS, Finger Lakes Communication Company has examined the system in its current state, and has arrived at conclusions as to required set up and alignment modifications necessary to optimize performance; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a contract with Finger Lakes Communication Company, of Auburn, New York, which shall authorize Finger Lakes Communication Company to perform identified radio simulcast system alignment and optimization work; and be it further

RESOLVED, that the work to be performed shall initially occur on the simulcast channel utilized for fire service dispatching and communications, at a cost not to exceed \$10,000 for labor and any incidental equipment necessary for such alignment and optimization; and be it further

RESOLVED, that, upon completion of said alignment and optimization work on the fire channel, County personnel will evaluate the results, and, if found favorable, will be authorized to allow Finger Lakes Communication Company to perform similar optimization and alignment

work on the three remaining primary dispatch channels, at a total cost for all work not to exceed \$40,000 for all four channels; and be it further

RESOLVED, that the above referenced agreement shall be approved by the County Attorney as to form and content.

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

RESOLUTION NO. 476-15: AUTHORIZATION TO AMEND BUDGET FOR THE 2013 CRITICAL INFRASTRUCTURE GRANT PROGRAM AND EXPEND FUNDS

Mr. LeRoy presented the following:

WHEREAS, the County of Wayne accepted the 2013 Critical Infrastructure Grant and established associated accounts in the A fund with Project ID CIG13 as authorized in Resolution 307-14; and

WHEREAS, the associated accounts were closed out at the end of fiscal year 2014 prior to receiving the training; and

WHEREAS, after completing the training associated with the original grant there will be \$12,795 available to assist in the purchase of Intrusion Detection Equipment; and

WHEREAS, the 2015 budget needs to be amended to reflect the remaining available grant funds; now, therefore, be it

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

A3640- Emergency Management

(Revenues)

Amount	Object #	Object Name	Project ID	Description
16,920	to 43302	Homeland Security	CIG13	2013 Critical Infrastructure Grant

A3640- Emergency Management

(Appropriations)

Amount	Object #	Object Name	Project ID	Description
12,795	to 54400	Contracted Services	CIG13	Intrusion detection equipment
4,125	to 54483	Training-Seminars-Schools	CIG13	Training costs associated with upgrades

and be it further

RESOLVED, that the Director of Emergency Management Services or his designee is hereby authorized to purchase the equipment, supplies and services in accordance with Wayne County Purchasing Policy.

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

RESOLUTION NO. 477-15: AUTHORIZATION TO AMEND BUDGET, ESTABLISH PROJECT ID WITHIN PROJECT ACCOUNT AND EXPEND FUNDS FOR THE 2014 CRITICAL INFRASTRUCTURE GRANT PROGRAM

Mr. LeRoy presented the following:

WHEREAS, the County of Wayne has accepted the 2014 Critical Infrastructure Grant as authorized in Resolution No. 675-14 and the budget was not previously amended to establish a project account at the time of acceptance; and

WHEREAS, this grant funding shall be used to implement a video surveillance system at the various communications sites throughout Wayne County; now, therefore, be it

RESOLVED, that the Treasurer is authorized to create the necessary project accounts and amend the 2015 budget as follows:

H39180 Homeland Security

(Revenues)

Amount	Object #	Object Name	Project ID	Project ID
Name				

50,000 To	43302	Homeland Security	CIG14	Tower
Security				
<u>H39180 Homeland Security</u>				
(Appropriations)				
Amount	Object #	Object Name	Project ID	Project ID
Name				
50,000 To	54400	Contracted Services	CIG14	
Tower Security				

and be it further

RESOLVED, that the Director of Emergency Management or his designee(s) are authorized to make said purchases in accordance with Wayne County purchasing policy.

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

RESOLUTION NO. 478-15: AUTHORIZATION TO ACCEPT NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES GRANT AND AMEND 2015 BUDGET

Mr. LeRoy 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 Resolution Number 090-15 authorized the County Administrator, Chairman of the Board of Supervisors and the Public Defender to apply for said grant; and

WHEREAS, Wayne County has received notification that the grant in the amount of \$495,423 has been awarded under Contract Number C000754; and

WHEREAS, the term of said Contract Number C000754 is January 1, 2015 through December 31, 2017; and

WHEREAS, this grant funding shall be used in part for continued funding of one-half of the salary and benefits of an Assistant Public Defender, partial funding for the County contract with LAW New York as well as enhanced training for assigned counsel attorneys, smart phones for LAW New York Family Court attorneys, and renovation and/or relocation of the Public Defender's Office; now, therefore, be it

RESOLVED, that the County Administrator is authorized to accept said grant 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, for the Indigent Legal Services Grant; and be it further

RESOLVED, that the Wayne County Public Defender is authorized to continue funding from this grant, one-half of the salary and benefits of a current Assistant Public Defender position in an amount not to exceed \$120,000 over the three year term of this grant.

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

Mr. LeRoy moved, seconded by Mrs. Marini, that the 'TITLE' of this resolution be amended by removing '**AND AMEND 2015 BUDGET**'. Motion carried.

Upon roll call on the amended resolution, adopted.

RESOLUTION NO. 479-15: AUTHORIZATION TO ADVERTISE SEALED BIDS FOR COUNTY-OWNED PROPERTY

Ms. Park presented the following:

WHEREAS, pursuant to Resolution No. 295-15 certain properties acquired by the County by tax deed were sold at public auction sale held June 10, 2015; and

WHEREAS, the first and second bidders declined to purchase said properties

WHEREAS, The County of Wayne is the current owner of record for the above noted

property through 2013 foreclosure proceedings, The County of Wayne is requesting sealed bids to purchase building and property located at 3103 Route 88 N, Newark, New York, Tax ID# 68113-12-774682; and be it further

RESOLVED, that the Director of Real Property Tax Services is hereby authorized and directed to advertise by sealed bid the following property:

<u>TOWN</u>	<u>TAX ID#</u>	<u>LOCATION</u>
ARCADIA	68113-12-774682	3103 Route 88 N

RESOLVED, that the advertising shall run two times in The Times of Wayne County and the Sun and Record and be in the same format, style and format as customarily utilized by Real Property Tax Services in the tax foreclosure auction process. Said advertising charges shall be a charge to Account A1364, "Expenses on Prop Acquired For", Line 54000; and be it further

RESOLVED, all bids and deposits must be submitted with Wayne County's bid forms, which are available at the Real Property Tax Services office and all bids, deposits and bid forms must be submitted to the Wayne County Attorney's Office, 26 Church St, Lyons, NY 14489, no later than SEPTEMBER 10, 2015 at 3:00pm.

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

RESOLUTION NO. 480-15: SETTING DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW PROVIDING FOR A REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS UNDER REAL PROPERTY TAX LAW §458-B

Ms. Park presented the following:

WHEREAS, the proposed local law providing for a real property tax exemption for Cold War Veterans under Real Property Tax Law §458-b, has been duly presented to the Board of Supervisors; now, therefore, be it

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on **Tuesday, September 15, 2015 at 7:10 p.m.** in the Supervisors' Chambers in the County Court House, Lyons, New York, on the following proposed local law:

**COUNTY OF WAYNE — STATE OF NEW YORK
INTRO NO. 7 - LOCAL LAW NO. _____ FOR THE YEAR 2015**

A local law providing for a real property tax exemption for cold war veterans under Real Property Tax Law §458-b.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, AS FOLLOWS;

SECTION 1. TITLE

This law shall be known as the "Cold War Veterans Property Tax Exemption Act."

SECTION 2. FINDINGS

- A. The New York State Legislature amended New York State Real Property Tax law to authorize the County of Wayne and other jurisdictions to enact a real property tax exemption for Cold War Veterans under RPTL §458-b.
- B. The state legislation was intended to provide Cold War Veterans with a real property tax exemption similar to tax exemptions given to other war time veterans.
- C. The County of Wayne desires to extend similar tax exemptions to Cold War Veterans by this local law.
- D. Cold War Veterans served in the United States Armed Forces during the time period from September 2nd, 1945 to December 20th, 1991.

SECTION 3. DEFINITIONS

- A. "Cold War Veteran" means a person, male or female, who served on active duty other than active duty for training, for a period of more than 365 days in the United States Armed Forces, during the time period from September 2nd, 1945 to December 26th, 1991, was discharged or released therefrom under honorable conditions.
- B. "Armed Forces" means the United States Army, Navy, Marine Corps, Air Force and Coast Guard.
- C. "Active Duty" means full-time duty in the United States Armed Forces, other than active duty for training.
- D. "Service Connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty on active military, naval or air service.
- E. "Qualified Owner" means a Cold War Veteran, the spouse of a Cold War Veteran, or the un-remarried surviving spouse of a deceased Cold War Veteran. Where property is owned by more than one qualified owner, the exemption to which each is entitled may be combined. Where a veteran is also un-remarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.
- F. "Qualified Residential Real Property" means property owned by a qualified owner which is used exclusively for residential purposes. Provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this section. Such property shall be the primary residence of the Cold War Veteran or the un-remarried surviving spouse of a Cold War Veteran; unless the Cold War Veteran or un-remarried surviving spouse is absent from the property due to medical reasons or institutionalization.
- G. "Latest State Equalization Rate" means the latest final equalization rate established by the State Board of Real Property Services pursuant to article twelve of New York State Real Property Tax Law.

SECTION 4. GRANT OF EXEMPTION

As authorized by Real Property Tax Law § 458-b, the County of Wayne is hereby opting into the Cold War Veterans' partial real property tax exemption to the extent of fifteen (15) percent of the first 80,000 dollars of assessed value on qualified residential real property.

- A. Qualified residential real property shall be exempt from taxation to the extent of fifteen (15) percent of the assessed value of such property; provided however, that such exemption shall not exceed twelve thousand dollars or the product of twelve thousand dollars multiplied by the latest state equalization rate of the assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less; and
- B. In addition to the exemption provided in this local law, where the Cold War Veteran received a compensation rating from the United States Veterans Affairs Office or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty (50) percent of the Cold War Veteran disability rating; provided, however, that such exemption shall not exceed forty thousand dollars, or the product of forty thousand dollars multiplied by the latest state equalization rate for the assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less.

SECTION 5. LIMITATIONS

- A. The exemption from taxation provided by this subdivision shall be applicable to County of Wayne ad valorem taxes, but shall not be applicable to taxes levied for school purposes.

- B. If a Cold War Veteran receives an exemption under section 458 or 458-a of the New York State Real Property Tax Law, the Cold War Veteran shall not be eligible to receive the exemption provided by this local law.
- C. The exemption provided by section 4 of this local law shall be granted for a period of ten (10) years. The commencement of such ten year period shall be governed pursuant to this paragraph. Where a qualified owner owns qualifying residential real property on the effective date of this local law such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of this local law. Where a qualified owner does not own qualifying residential real property on the effective date of this local law, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least sixty days after the date of purchase of qualifying residential real property; provided, however, that should the veteran apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within sixty days after the date of purchase of a residential property, such ten year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such ten year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted pursuant to this subdivision for the unexpired portion of the ten year exemption period.
- D. Application for exemption shall be made by the owner, or all of the owners of the property on a form prescribed by the state subject to the terms and conditions set forth in Real Property Tax Law §458-b.
- E. This law may be repealed by the County of Wayne. Any such repeal shall occur at least ninety (90) days prior to the taxable status date of the County of Wayne.

SECTION 6. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 7. EFFECTIVE DATE

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

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

RESOLUTION NO. 481-15: APPROVE PROPOSAL FROM MONROE-GORMAN TITLE AGENCY FOR TITLE SEARCH SERVICES AS IT RELATES TO THE TAX FORECLOSURE PROCEEDINGS FOR THE CALENDAR YEARS 2016, 2017 AND 2018

Ms. Park presented the following:

WHEREAS, New York State Law requires the County Treasurer to give property tax foreclosure notice to all interested parties as recorded in the County Clerk's Office; and

WHEREAS, the current contract with Monroe Gorman expires at the end of 2015; and

WHEREAS, an RFP was sent to three Title Companies and they were to respond by 08/04/15; and

WHEREAS, Monroe Gorman Title agency was the only company to respond; and

WHEREAS, Monroe Gorman Title agency has made a proposal for the years:

- 2015 Tax Year 2016 Calendar Year - Full Search \$95, Update Search \$60
- 2016 Tax Year 2017 Calendar Year – Full Search \$100 Update Search \$60
- 2017 Tax Year 2018 Calendar Year – Full Search \$105 Update Search \$60; and

WHEREAS, the County Treasurer wishes to have a new Contract in place going forward; now, therefore, be it

RESOLVED, that this proposal is approved and the Chairman of the Board is hereby authorized to sign a contract with Monroe – Gorman with the form and contents being approved by the County Attorney.

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

Ms. Park moved, seconded by Mr. Kolczynski, that Resolution Transmittal No. 1-4 be TABLED, entitled "Board of Supervisors of the County of Wayne Increasing Taxes on Sales and Uses of Tangible Personal Property and of Certain Services on Occupancy of Hotel Rooms and on Amusement Charges Pursuant to Article 29 of the Tax Law of the State of New York".

Motion carried.

OTHER BUSINESS

Mrs. Crane moved, seconded by Mr. LeRoy that two (2) resolutions be allowed on the floor under other business. Motion carried.

RESOLUTION NO. 482-15: AUTHORIZATION FOR CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN INDEMNIFICATION AGREEMENTS WHEN REQUIRED BY FACILITIES FOR COMMUNITY FLU CLINICS

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) holds several community flu clinics at facilities within the County; and

WHEREAS, WCPH occasionally is required to sign a "Hold Harmless Agreement" indemnifying the facility free and harmless from any and all claims or actions for damages or loss to property, etc.; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign "Hold Harmless Agreements" with facilities that will host a WCPH community flu clinic, when required, subject to the review and approval of the County Attorney as to form and content.

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

RESOLUTION NO. 483-15: AUTHORIZATION TO ACCEPT BIDS FOR THE RADIO INTEROPERABILITY PROJECT – PHASE II – ROSE GENERATOR- PACKAGE # 9

Mr. LeRoy presented the following:

WHEREAS, as authorized by Resolution 520-14, the Clerk of the Board of Supervisors has duly advertised for bids for the purchase, installation, and testing of a new generator, uninterruptable power supply, and accompanying fuel tank at the Rose Communications Site as part of the Radio Interoperability Project- Phase II; and

WHEREAS, bids were publicly opened on Thursday, July 30, 2015, at 2:15 p.m. and the following bid was received:

Bidder Name and Address	Base Bid Amount
Colacino Industries, Inc. 126 Harrison Street Newark, NY 14513	\$52,830.00

and,

WHEREAS, the Bidder offered a maintenance bypass as an optional add-on in the

amount of \$1,287.50 and Wayne County is desirous of said option; and

WHEREAS, the cost, including maintenance bypass option is within the anticipated cost; and

WHEREAS, the bid has been reviewed by the Director of Emergency Management Services; now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors hereby accepts the bid submitted by Colacino Industries, Inc., and the Chairman of the Board is hereby authorized to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Colacino Industries, Inc., at a cost not to exceed \$54,117.50.

Mr. Smith moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, all Supervisors voted Aye, except Supervisor Park who voted Nay. Mr. Colacino Abstained from voting. The Chairman declared the Resolution adopted.

ADJOURNMENT

Chairman Hoffman proposed a Special Board Meeting to be scheduled for Thursday, August 20, 2015 at 9:00 at the Wayne County Court House, for the purpose of addressing the matter of the Resolution that was *tabled* earlier.

Mr. Marquette, County Administrator explained further, that due to the fact that the Governor did not sign the Home Rule Request regarding Wayne County request for the extension of the current sales and use tax, a Special Board Meeting will be necessary for the required resolution to be adopted before September 1.

Prior to board adjournment, Steve LeRoy announced that the Sheriff's K-9 Unit Steak Dinner Fundraiser be held on Wednesday, September 19 at the Walworth, Fairville and Rose Fire Departments, respectively; raising money for the Sheriff's K-9 Unit Program. All tickets are pre-sale ONLY and are available through September 7. Contact k9fundraiser@walworthfd.org for ticket sale information.

Sheriff Virts added that this is a great event and we appreciate your support; noting that all funds that are raised will be used to offset the tax levy, for the purchase of new dogs, training and protective equipment for the dogs.

The next scheduled meeting of this Board is **Thursday, August 20, 2015 at 9:00 a.m.**

Mrs. Crane moved, seconded by Ms. Park, that the board adjourn at 11:35 a.m. Carried.

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