

11th Day
Monday, August 14, 2017
11:00 a.m.

The August Board meeting was held on Opening Day of the 162th Annual Wayne County Fair at the Village of Palmyra Fairgrounds, with Chairman Steven LeRoy presiding.

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

Chairman LeRoy introduced Kelley Loveless for the singing of our National Anthem.

The Clerk called the roll and all Supervisors were in attendance this morning, along with County Administrator Richard House and County Attorney Daniel Connors.

The Chairman welcomed everyone attending today; and thanked Pamela Ferranti, President of the Wayne County Fair with accommodating and hosting the County Board Meeting at this location as their warm hospitality and accommodations are truly appreciated.

Chairman LeRoy welcomed Senator Pamela Helming and Assemblyman Robert Oaks, thanking them both for joining us today.

Senator Helming updated Board Members of the many community events and projects that she and her staff have been working on for the 54th NYS Senate District.

Assemblyman Oaks addressed current issues in Wayne County, reflecting on the Lake Ontario area flooding and discussed legislation for grant applications for resources to meet the needs of property owners affected by recent floods this year.

These grant applications are now available and accessible here at the Wayne County Fair within the Legislative Booth in Floral Hall. Meetings are being set up to disperse information to people in needs of people to assist on-hand.

PROCLAMATIONS AND AWARDS

Supervisor Miller, Chairman of the Public Works Department, read today's proclamations on behalf of the Board, for this year's Agriculture Environmental Stewardship Award and Conservation Farm of the Year for 2017.

Wayne County Soil and Water Conservation District

Lindsey M. Gerstenslager, District Manager along with Ron Thorn, Conservation Field Manager presented this year's Agriculture Environmental Stewardship award for 2017 to Ora Rothfuss.

The Conservation Farm of the Year for 2017 was presented to Hill's Drumlin View Farms, LLC.

APPROVAL OF MINUTES:

Mr. Kolczynski moved, seconded by Mr. Miller, 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. Mrs. Crane moved, seconded by Mrs. Pagano. Motion carried.

A copy of the Sheriff's Cash Receipts Report dated July 20, 2017 totaling \$11,761.29 was received and filed.

A copy of the February 2, 2017 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.

Copy of a memorandum was received from Lindsey Burgess, Self-Insurance Specialist for Wayne County, providing the County Board with an Estimate of Need for 2018 Wayne County Self-Insurance Workers' Compensation Plan.

A letter was received from the Wayne County Historical Society, thanking the Board for the allocation from the 2017 budget appropriation funds.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments, including the July warrants for accounts payable totaling \$4,276,211.26 was received and filed.

PUBLIC HEARINGS:

Prior to the opening of five scheduled public hearings for this morning, Chairman LeRoy took this opportunity to read the Board's procedures that are followed for all County public hearings. Further, he requested that persons interested in addressing the Board with their comments to come forth.

The Clerk read the introduction of the Notice of Public Hearing regarding the Proposed Local Law Amending Local Law No. 2-2000 in Relation to Establishing the Continuity of County Government in the Event of a Disaster.

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

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on **Monday, August 14, 2017 at 11:05 a.m.** at the Wayne County Fair, W. Jackson Street, Palmyra, New York 14522, on the following proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK
INTRO NO. 2 - LOCAL LAW NO. ___ FOR THE YEAR 2017**

A Local Law Amending Local Law No. 2-2000. Establishing the Continuity of County Government in the Event of a Disaster.

After the introduction was read, Mr. Kolczynski moved, seconded by Mrs. Crane that the Chairman open the floor for the public, restating that people interested in making comment should come forward to address the Board. Further, he requested that they state their name and address for the record.

There was no public comment at this time.

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

Mrs. Pagano moved, seconded by Mr. Verkey, that the hearing be closed at 11:42 a.m. Upon roll call, carried.

The Clerk read an introduction of the second Notice of Public Hearing scheduled this morning, regarding a Proposed Local Law Amending and Repealing the Wireless Communications Surcharge Authorized; and Imposing new Wireless Communications Surcharges.

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

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on **Monday, August 14, 2017 at 11:10 a.m.** at the Wayne County Fair, W. Jackson Street, Palmyra, New York 14522, on the following proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK
INTRO NO. 3 - LOCAL LAW NO. ___ FOR THE YEAR 2017**

A Local Law Amending Local Law No. 6-2002 Repealing the Wireless Communications Surcharge Authorized by Article Six of the County Law of the State of New York; and Imposing the Wireless Communications Surcharges Pursuant to the Authority of Tax Law § 186-G.

After this was read, Mrs. Crane moved, seconded by Mr. Smith that the Chairman open the floor for the public, restating that people interested in making comment should come forward to address the Board.

There was no public comment at this time.

After a second request for comment was made, Chairman LeRoy asked for a motion to close the hearing.

Mrs. Marini moved, seconded by Mr. Kolczynski, that the hearing be closed at 11:45 a.m. Upon roll call, carried.

The Clerk read the Notice of Public Hearing scheduled for the Community Development Block Grant (CDBG) applications for the 2017 program.

**NOTICE OF PUBLIC HEARING
WAYNE COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**

The Board of Supervisors, Wayne County, New York has scheduled a public hearing for **Monday, August 14, 2017. The hearing will start at 11:15 a.m.** and take place at the Wayne County Fairgrounds, W. Jackson Street in Palmyra, New York.

The public hearing will be held for the purpose of hearing public comments on Wayne County's community development needs, and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2017 program year for housing, economic development, public facilities, public infrastructure, and planning activities, with the principal purpose of benefitting low/moderate income persons; specifically, reimbursement of expenses experienced by the County of Wayne during the Lake Ontario Flood Response of 2017 as well as other County of Wayne response, recovery and mitigation activities that may be eligible through this grant program.

The CDBG program is administered by the New York State Office of Community Renewal (OCR), and will make available to eligible local governments up to \$10 million for the 2017 program year to make essential repairs to public infrastructure that has been impacted by recent flooding along Lake Ontario.

Mr. Miller moved, seconded by Mr. Verkey that the Chairman opened the floor for the public to comment and asked them to come forward to address the Board.

There was no public comment at this time.

After a second request for the public to make comment was made, Chairman LeRoy asked for a motion to close the hearing at 11:49 a.m.

Mrs. Marini moved, seconded by Mr. Kolczynski, that the hearing be closed. Carried.

The Clerk read the Notice of Public Hearing scheduled this morning regarding proposed 2018-2022 Capital Plan:

**COUNTY OF WAYNE
NOTICE OF PUBLIC HEARING
2018-2022 CAPITAL PLAN FOR WAYNE COUNTY**

NOTICE IS HEREBY GIVEN THAT the Wayne County Board of Supervisors will conduct a Public Hearing at **11:20 a.m. on Monday, August 14, 2017** at the Wayne County Fair, W. Jackson Street, Palmyra, New York 14522, to consider public comments concerning revisions to the capital plan for Wayne County.

The proposed Capital Plan is a planning instrument and not an appropriations or funding commitment.

Copies of the proposed Capital Plan are on file with the Clerk of the Board and may be inspected at the County Court House during normal business hours; and also by referring to the Wayne County website at:

Prior to opening the Public Hearing, Mr. Ken Blake, Fiscal Assistant, addressed the Board to explain the 2018-2022 Capital Plan. A copy of the Plan was previously provided to Supervisors showing the total project costs is under \$38 million, with a County cost of \$12.6 million over a five-year period. It was noted this plan was reviewed during a joint Committee meeting of the Finance, Economic Development/Planning, Public Works and Public Safety Committees.

Mr. Blake further emphasized that the 2018-2022 Capital Plan is simply a planning instrument and not an appropriations or funding commitment.

At 11:50 a.m., Chairman LeRoy opened the floor for the public to address the Board regarding the proposed 2018-2022 Capital Plan, and asked there was any interest, to come forward. There was no response.

After the second request for comment on the Capital Plan was made, Chairman LeRoy asked for a motion to close the hearing.

Mrs. Crane moved, seconded by Mrs. Pagano, that the hearing be closed at 11:51 a.m. Upon roll call, carried.

The Clerk read the Notice of Public Hearing scheduled for the proposed Shared Services Plan.

NOTICE OF PUBLIC HEARING

SHARED SERVICES MUNICIPAL CONSOLIDATION AND EFFICIENCY PLAN

The County of Wayne will be conducting a public hearing for the purpose of developing and submitting a municipal consolidation and efficiency plan to pursue opportunities for consolidation, shared services and local government modernizations that reduce the property tax burden.

This public hearing is scheduled for **Monday, August 14, 2017 at 11:25 a.m.** to be held at the Wayne County Fairgrounds, W. Jackson Street in Palmyra, New York.

Prior to opening this last scheduled public hearing today for the Shared Services Initiative, Rick House, Wayne County Administrator, gave a brief explanation of this generic proposal, outlining the following areas that were selected: the digitization of County, school and municipal records; shared services for highway departments; and the proposed consolidation of Justice Courts.

Further, Mr. House noted that this generic shared services plan was previously forwarded to the committee on August 1, noting that the final proposal was due to the Division of Budget by September 15, as stipulated within the Governor's instructions.

Mr. House informed everyone that if there was interest in viewing this plan today, he

noted that we are prepared to give a presentation at this time. No interest to view the proposed plan was requested.

Mr. Kolczynski moved, seconded by Mrs. Crane that the Chairman open the floor at 11:54 a.m. for the public to comment. There was no interest from the public to comment at this time.

After a second request, Chairman LeRoy asked for a motion to close the hearing.

Mr. Groat moved, seconded by Mr. Smith, that the hearing be closed at 11:54 a.m. Carried.

PRIVILEGE OF THE FLOOR:

Chairman LeRoy asked the Clerk if there was interest from the public for agenda items under Privilege of the Floor. There was no interest at this time.

SCHEDULED BUSINESS

RESOLUTION NO. 412-17: AUTHORIZE CONTRACT WITH CATHOLIC CHARITIES OF WAYNE COUNTY (CCWC) FOR EARLY/CRISIS INTERVENTION SERVICES

Mr. Manktelow presented the following:

WHEREAS, one of the largest expenses in the Wayne County Department of Social Services budget is for the placement of children outside their own homes; and

WHEREAS, the earlier these children and families can be identified and provided services, the less likely it is that such placement occurs; and

WHEREAS, schools and pre-schools can often identify these children/families at a 90%+ accuracy rate, and

WHEREAS, Catholic Charities has an effective track record compiled in identifying and providing services to such youth/families; 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 Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities of Wayne County (CCWC) for the provision of Early/Crisis Intervention Services to TANF eligible families during the 7/1/17-6/30/18 timeframe at a cost not to exceed \$59,165.

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

RESOLUTION NO. 413-17: AUTHORIZATION TO SIGN AGREEMENT WITH THE TERRACE AT NEWARK ASSISTED LIVING COMMUNITY

Mr. Manktelow presented the following:

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

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

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

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

RESOLVED, that the Commissioner of Social Services is hereby authorized to sign an agreement with The Terrace at Newark Assisted Living Community, subject to the review of the County Attorney, to allow reimbursement for services provided to Medicaid-eligible, low income residents of the facility for the period 7/1/17-6/30/18.

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

RESOLUTION NO. 414-17: AUTHORIZATION TO EXTEND THE 2016/2017 CONTRACT WITH WAYNE COUNTY CHAPTER, NYSARC THROUGH 9/30/17

Mr. Manktelow presented the following:

WHEREAS, pursuant to Resolution No 530-16 the Wayne County Board of Supervisors entered into a contract with Wayne County ARC to provide respite services for caregivers in the amount of \$20,520 which will end June 30, 2017; and

WHEREAS, Wayne County Department of Aging and Youth desires to extend the contract end date to 9/30/2017 with Wayne County ARC for the provision of expending the state granted funding of these services; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract amendment on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content on behalf of the Department of Aging and Youth for the provision of respite services for caregivers with Wayne County ARC through September 30, 2017.

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

RESOLUTION NO. 415-17: AUTHORIZATION TO ACCEPT VENDING MACHINE EQUIPMENT AND SERVICES FOR VARIOUS WAYNE COUNTY DEPARTMENTS BID AND ESTABLISH CONTRACT

Mr. Baldrige presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for vending machine equipment and services for various Wayne County Departments and the bids were opened on Tuesday July 18, 2017 at 2:00pm and the following bids were received:

Vending Machine Equipment and Services for Various Wayne County Departments
 Bid Opening – July 18, 2017 – 2:00 p.m.

BIDDER	PERCENTAGE OF SALES TO BE RETAINED BY VENDOR		
	2017	2018	2019
1 CRICKLER VENDING CO. 900 Jefferson Rd., Blg 5 Rochester, NY 14623	85%	85%	85%
2 ACE AUTOMATICS INC. 1771 Auburn Road Seneca Falls, NY 13146	95%	95%	95%
3 GENEVA CLUB BEVERAGE CO. Pepsi Lane Geneva, NY 14456	70%	70%	70%

RESOLVED, that the bid submitted by Geneva Club Beverage Co. with 30% of the proceeds given to the County for a three-year period, in accordance with specifications, is hereby accepted:
 and be it further

RESOLVED, that the Chairman of the Board of Supervisor 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 Geneva Club Beverage Co. in accordance with the bid acceptance.

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

RESOLUTION NO. 416-17: AUTHORIZATION TO TRANSFER AND DISPOSE OF EQUIPMENT FOR WAYNE COUNTY PUBLIC HEALTH

Mr. Baldrige presented the following:

WHEREAS, Wayne County Public Health (WCPH) has the following pieces of equipment that they wish to transfer or dispose of as per the Wayne County Surplus Equipment

Disposition Policy:

Dispose of:

Xerox ColorQube printer – SN# XFN150331 – poor working condition

Transfer to Aging and Youth:

Fellowes Powershred paper shredder– Model 480, SN# 1487.923 – good working condition now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to dispose of a Xerox ColorQube printer, SN# XFN150331 due to poor working condition and to transfer a good working condition Fellowes Powershred paper shredder, SN# 1487.923 to the Department of Aging and Youth, as per the Wayne County Surplus Equipment Disposition Policy.

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

RESOLUTION NO. 417-17: AUTHORIZATION TO SIGN COLLABORATIVE PARTNERSHIP AGENCY AGREEMENT WITH BISHOP SHEEN ECUMENICAL HOUSING FOUNDATION, INC. AND WAYNE COUNTY PUBLIC HEALTH

Mr. Baldrige presented the following:

WHEREAS, Bishop Sheen's mission is to improve access to information, referrals and services to enable lower income residents to live with the greatest possible independence, dignity and quality of life; and

WHEREAS, Bishop Sheen wishes to establish a Collaborative Partnership Agency Agreement with Wayne County Public Health (WCPH) to provide timely referral and services to our lower income residents; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to sign the Collaborative Partnership Agency Agreement with Bishop Sheen Ecumenical Housing Foundation, Inc, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 418-17: AUTHORIZATION TO ESTABLISH A MEMORANDUM OF UNDERSTANDING BETWEEN WAYNE COUNTY PUBLIC HEALTH AND SPCC WIC FOR PUBLIC HEALTH TO PERFORM LEAD POISONING PREVENTION SERVICES

Mr. Baldrige presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently has a Lead Poisoning Prevention Program for which funding comes from the NYSDOH that requires WCPH to perform outreach activities throughout the county to ensure that one and two year old children and pregnant women are tested for lead poisoning and are educated on the side effects of lead poisoning; and

WHEREAS, WCPH's Lead Poisoning Prevention Program wishes to collaborate with SPCC WIC to perform lead poisoning prevention education and/or lead testing during WIC clinics within Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a Memorandum of Understanding with SPCC WIC for Wayne County Public Health to perform Lead Poisoning Prevention Program activities at SPCC WIC clinics within Wayne County, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 419-17: SETTING SALARY FOR THE POSITION OF COMPLIANCE OFFICER AT THE WAYNE COUNTY NURSING HOME

Mr. Baldrige presented the following:

WHEREAS, the Managerial/Confidential position of the Compliance Officer at the Wayne County Nursing Home became vacant on July 27, 2017; and

WHEREAS, the position of Compliance Officer at the Wayne county Nursing Home currently exists in the Managerial/ Confidential Employees Group in pay grade 8; and

WHEREAS, the Nursing Home Administrator and the Director of Human Resources recommend that the Board authorize an initial salary of up to \$65,000 per year; now, therefore, be it

RESOLVED, that the salary for the Compliance Officer shall be authorized of \$65,000.00 effective August 18, 2017.

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

Supervisor Baldrige noted that the Tabled Resolution No. 332-17 will remain on the table.

RESOLUTION NO. 420-17: AUTHORIZATION TO RECEIVE A REPAYMENT FROM THE OFFICE OF THE MEDICAID INSPECTOR GENERAL FOR A 2014 OVERPAYMENT TO THEIR DEPARTMENT

Mr. Baldrige presented the following:

WHEREAS, the Office of the Medicaid Inspector General completed an audit of the Wayne County Nursing Home's Medicaid rate for the rate period May 14, 2005 through December 31, 2008 and determined that the Medicaid overpayment associated with OMIG adjustments was \$557,306; and

WHEREAS, the Office of the Medicaid Inspector General's audit also processed Bureau of Long Term Care Reimbursement appeals that resulted in an additional overpayment amount of \$95,118; and

WHEREAS, the Wayne County Nursing Home exercised its right to challenge this action and determination by requesting an administrative hearing; and

WHEREAS, Wayne County Nursing Home made a payment of \$652,424 to the Office of the Medicaid Inspector General on August 14th, 2014; however, the facility continued to challenge this action and it was determined by the Office of the Medicaid Inspector General that the Wayne County Nursing Home overpaid in 2014 and the facility was due a repayment of approximately \$252,000; and

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a stipulation with the Office of the Medicaid Inspector General, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 421-17: AUTHORIZATION TO ESTABLISH 2018 WORKERS' COMPENSATION PLAN PREMIUM-EQUIVALENTS

Mrs. Crane presented the following:

WHEREAS, the County of Wayne is required to establish premium-equivalents annually 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 2018 for the Self-Insured Workers Compensation Plan:

Wayne County	\$ 1,552,043	Village of Clyde	\$ 10,391
Town of Arcadia	\$ 54,595	Village of Newark	\$ 251,589
Town of Butler	\$ 10,263	Village of Palmyra	\$ 50,056
Town of Galen	\$ 11,639	Village of Red Creek	\$ 2,358

Town of Huron	\$	59,623	Village of Sodus	\$	37,757
Town of Lyons	\$	48,571	Village of Sodus Point	\$	13,696
Town of Macedon	\$	89,950	Village of Wolcott	\$	9,796
Town of Marion	\$	25,346			
Town of Ontario	\$	145,789			
Town of Palmyra	\$	47,136			
Town of Rose	\$	13,121			
Town of Savannah	\$	22,288			
Town of Sodus	\$	82,224			
Town of Walworth	\$	144,743			
Town of Williamson	\$	59,448			
Town of Wolcott	\$	15,764			

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

RESOLUTION NO. 422-17: AUTHORIZATION TO PREPARE AND SUBMIT ANNUAL SNOWMOBILE TRAILS GRANT-IN-AID APPLICATION ON BEHALF OF WAYNE COUNTY SNOWMOBILE CLUBS AND AUTHORIZE PAYMENT

Mr. Spickerman presented the following:

WHEREAS, Resolution No. 560-98 established Wayne County as the Local Sponsor for the Snowmobile Trails Grant-In-Aid Program offered through the NYS Office of Parks, Recreation and Historic Preservation (OPRHP); and

WHEREAS, the County Planning Department has prepared applications to said grant program on behalf of snowmobile clubs in the County since 1998; and the County continues to recognize and support the recreational and economic benefits of snowmobiling; and

WHEREAS, the NYS Office of Parks, Recreation and Historic Preservation, utilizes a formula to determine the amount of funding that the County receives, which can be then apportioned to the snowmobile clubs based on the approved snowmobile trails that they develop and maintain within the county; and

WHEREAS, the County and Snowmobile clubs have a contractual relationship for the administration of this grant program; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Wayne County Economic Development and Planning Department to annually prepare and submit a Phase 1 and Phase II – Applications to NYS OPRHP’s Snowmobile Trails Grant-In-Aid, and the Chairman of the Board of Supervisors is authorized to sign any necessary documents, pending approval by the County Attorney as to form and content; and be it further

RESOLVED, that the Board of Supervisors authorizes the Department of Economic Development & Planning to calculate and prepare the appropriate documentation for payment to the individual snowmobile clubs based on the approved snowmobile trails, and pending their compliance with Snowmobile Trails Grant-In-Aid program guidelines; and be it further

RESOLVED the Treasurer is authorized to sign the voucher and Planning Department is authorized to submit that voucher to the State; and the Wayne County Treasurer is hereby authorized to distribute these funds upon receipt, in the amounts identified in the voucher and /or the program documentation.

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

RESOLUTION NO. 423-17: ADOPTION OF 2018-2022 CAPITAL PLAN FOR WAYNE COUNTY

Mr. Miller presented the following:

WHEREAS, the County Administrator submitted the proposed 2018-2022 Capital Plan to the Board of Supervisors on June 1, 2017; and

WHEREAS, the Capital Plan review was conducted by members of the Public Works, Economic Development and Planning, and Finance Committees on June 21, 2017 and no changes were made to the plan; and

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

WHEREAS, a Public Hearing on the 2018-2022 Capital Plan was conducted on August 14, 2017; 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 hereby adopts the Capital Plan that has been filed with the Clerk of the Board for the period 2018-2022.

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

RESOLUTION NO. 424-17: AUTHORIZATION TO PREPARE AND DISTRIBUTE REQUEST FOR PROPOSALS FOR CONSULTING SERVICES ON TWO FEDERALLY FUNDED BRIDGE PROJECTS

Mr. Miller presented the following:

WHEREAS, the Rehabilitation of the Arcadia-Zurich Bridge over Ganargua Creek in Arcadia and the Replacement of the Ridge Road Bridge over Salmon Creek in Sodus are listed on the Genesee Transportation Councils Transportation Improvement Program (TIP) for funding beginning in October 2017; and

WHEREAS, the NYSDOT has authorized the County to begin the Consultant Selection process in accordance with the guidelines described in the Locally Administered Federal Aid Project manual; and

WHEREAS, the funds to pay for the engineering services will be 80% federal and 20% local; now, therefore, be it

RESOLVED, that the Superintendent of Public Works is hereby authorized and directed to request proposals for engineering services for the Arcadia-Zurich Road Bridge project in the Town of Arcadia, and the Ridge Road Bridge project in the Town of Sodus.

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

RESOLUTION NO. 425-17: AUTHORIZATION TO OBTAIN PERMANENT EASEMENTS FOR THE RIDGE ROAD CULVERT PROJECT

Mr. Miller presented the following:

WHEREAS, the Highway Department has a need to obtain a permanent drainage easement on the Ridge Road Culvert Project in the Town of Ontario where the culvert currently extends beyond the right-of-way; and

WHEREAS, the Highway Department has a need to obtain a permanent easement at the Ontario Elementary School, 1784 Ridge Road in the Town of Ontario where the installation of the new culvert is outside the existing right-of-way; and

WHEREAS, staff from the Highway Department have met with the Wayne Central School District, PO Box 155, 6200 Ontario Center Road, Ontario Center, NY 14520-0155 and have developed maps and descriptions to be filed with the County Clerk's Office; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign permanent easement documents subject to the review and approval of the County Attorney.

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

RESOLUTION NO. 426-17: AUTHORIZATION TO AMEND RESOLUTION NO. 343-17 FOR THE PURCHASE OF A PRESSURE WASHER AT THE WAYNE COUNTY JAIL

Mr. Miller presented the following:

WHEREAS, Resolution No. 343-17 authorized the purchase of a pressure washer to replace the failed unit at the Wayne County Jail; and

WHEREAS, the resolution stated that the replacement cost was approx. \$3,000.00; and

WHEREAS, after further review with vendors it has been determined that the unit that would best service the County will now cost \$3,500.00; and

WHEREAS, the first resolve in Resolution No. 343-17 stated not to exceed \$3,000.00 and will need to be amended; and

WHEREAS, there are significant funds in the Building & Grounds equipment line to cover the additional cost; now, therefore, be it

RESOLVED, the Chairmen of the Board of Supervisors is hereby authorized to amend the first resolve in Resolution No. 343-17 to read not to exceed \$3,500.00.

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

RESOLUTION NO. 427-17: AUTHORIZATION TO PURCHASE PORTABLE SIGNALS WITH CHIPS FUNDS

Mr. Miller presented the following:

WHEREAS, the Wayne County Highway department was recently provided a set of portable remote control traffic signals on a demonstration basis; and

WHEREAS, the traffic signals can be operated by one person outside of the work zone in place of two flag persons on a project that requires alternating two way traffic be maintained; and

WHEREAS, these signals worked favorably to improve workzone safety and reduce manpower; and

WHEREAS, a purchase of these items can be an eligible expense to be reimbursed by the CHIPS program as long as the purchase follows the guidelines of the Wayne County purchasing policy; and

WHEREAS, there are funds available in the current CHIPS allotment to pay for a pair of portable traffic signals; now, therefore, be it

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

D51122 – Road Construction

\$20,000 from 52600 Highway Construction

\$20,000 to 52638 – CHIPS equipment

and be it further

RESOLVED, that the Superintendent of Public Works is hereby authorized to solicit for quotes and purchase one set of portable traffic signals.

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

RESOLUTION NO. 428-17: 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 in Lyons expires on August 31, 2017; and

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

WHEREAS, NYSEG has provided a proposal for renewal for three additional years at an annual cost of 3,713.00; and

WHEREAS, this is a 3% increase from the prior two year agreement; 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 three additional years; and be it further

RESOLVED, that the Superintendent of Public Works is authorized to pay said bill from Budget line item A16154.5443.

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

RESOLUTION NO. 429-17: AUTHORIZATION TO AMEND CONTRACT WITH FM GENERATOR FOR COUNTY OWNED GENERATOR MAINTENANCE

Mr. Miller presented the following:

WHEREAS, Wayne County currently has a contract with FM Generator Inc to perform biannual service and inspection on several generators; and

WHEREAS, the County has just recently installed and put into services a building generator at the Wayne County Health Services Building that needs to be added to the contract; and

WHEREAS, the County also occupies and provides of all the maintenance and repairs in the State SEMO Bunker located in Newark for a backup 911 center; and

WHEREAS, the SEMO location also has a generator that should be added to the contract; and

WHEREAS, FM Generator has provided a cost of \$1,150.00 per year to add these two units to the County's service contract; and

WHEREAS, the Deputy Superintendent has compared the proposed cost and have found them to be in line with our current cost per generator; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to amend the current contract with FM Generator subject to the County Attorney's review, for the generator maintenance and inspection services on two additional units for the total annual cost of \$1,150.00; and be it further

RESOLVED, that the annual cost will increase per the original agreement for additional years of service beyond the initial 2 year term, if the contract is renewed.

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

RESOLUTION NO. 430-17: AUTHORIZATION TO AMEND HIGHWAY CONSTRUCTION PROJECT STATEMENTS AND TRANSFER FUNDS

Mr. Miller presented the following:

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

17-15 Ridge Road Culvert Project	\$50,000
17-57 Lake Road Project	\$30,000
17-58 Surface Treatment Project	\$30,000
17-66 West Walworth Road Project	\$300,000
17-21 West Port Bay Road Project	\$15,000

now, therefore, be it

RESOLVED, that the Supplemental Project Statements prepared by the Superintendent of Public Works are hereby approved by the Board of Supervisors, and that 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 transfer funds as listed below:

\$425,000 from D51122.52600	Road Construction – Highway Construction
\$50,000 to D51122.52615	Ridge Road Project
\$30,000 to D51122.52657	Lake Road Project

\$30,000 to D51122.52658
\$300,000 to D51122.5266
\$15,000 to D51122.52921

Surface Treatment Project
West Walworth Road Project
West Port Bay Road Project

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

RESOLUTION NO. 431-17: AUTHORIZATION TO SELL SURPLUS PROPERTY IN THE TOWN OF LYONS

Mr. Miller presented the following:

WHEREAS, Raymond F. and Lynne A. Morey, residing at 173 Water Street, Lyons and James R. and Sharon M. Allen residing at 171 Water Street, Lyons, County of Wayne, have expressed interest in purchasing a portion of County property that is adjacent to real property that they each own; and

WHEREAS, Mr. & Mrs. Morey propose to purchase from the County of Wayne a parcel that is approximately 0.186 acre, and is not currently being used for any purpose by the County; and

WHEREAS, Mr. & Mrs. Allen propose to purchase from the County of Wayne a parcel that is approximately 0.080 acre, and is not currently being used for any purpose by the County; and

WHEREAS, the Superintendent of Public Works has confirmed the aforesaid subject parcels are not needed by the County of Wayne for any purpose; now therefore be it,

RESOLVED, that the Wayne County Board of Supervisors hereby declares that the subject parcels are no longer necessary for public use, and said parcels are therefore declared to be surplus property; and be it further

RESOLVED, that the subject parcel may be sold by the County of Wayne to Raymond & Lynne Morey, at the rate of \$1,000 per acre, for a total sale price of One hundred eighty-six and 00/100 Dollars (\$186.00); and be it further

RESOLVED, that the subject parcel may be sold by the County of Wayne to James & Sharon Allen, at the rate of \$1,000 per acre, for a total sale price Eighty and 00/100 Dollars (\$80.00); and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a quit-claim deed, and any and all other documents which may be required to convey title of this parcel, to Raymond and Lynne Morey, and with James and Sharon Allen in exchange for their payment of the sale price indicated hereinabove.

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

RESOLUTION NO. 432-17: AUTHORIZATION TO ENTER INTO AGREEMENT WITH MUNICIPAL GAS AND ALLIANCE (MEGA) TO PROVIDE ELECTRICITY

Mr. Miller presented the following:

WHEREAS, our current agreement with Municipal Gas and Electric Alliance (MEGA) is set to expire on December 31st, 2017; and

WHEREAS, MEGA has provide the County currently with a 2yr Fixed Price that is approx. \$0.04856/kWh, this rate is subject to daily changes until agreement is signed; and

WHEREAS, the Deputy Superintendent has compared this to our current average rate of \$0.05959/kWh for the past 2 years; and

WHEREAS, the new rate would equal approximately \$156,000.00 in saving in energy cost over the two year contract when comparing it to our current rate; and

WHEREAS, MEGA has stated that electrical prices traditionally rise later in the year closer to the heating season; 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 MEGA for a 2yr fixed rate electric supply for the County owned facilities.

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

RESOLUTION NO. 433-17: AUTHORIZATION TO AMEND RES. NO. 694-12 TO DECLARE EQUIPMENT SURPLUS AND SELL TO THE STATE OF NEW YORK FOR DEPARTMENT OF WEIGHTS AND MEASURES

Mr. Miller presented the following:

WHEREAS, the Director of Weights and Measures has asked to amend Resolution No. 694-12 to sell the declared surplus 20 gallon slicker can to the State of New York for a different amount; and

WHEREAS, the State of New York is still interested in purchasing said equipment; however, is having difficulty purchasing the said equipment for the original agreed amount and has asked if the agreed price can be lowered to an amount that does not require State approval; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the sale of the aforementioned equipment in "as in" condition to the State of New York for \$499; and be it further

RESOLVED, that the proceeds for the sale of this equipment shall be deposited into: Account No. A9999.42665 Sale of Surplus Equipment; and be it further

RESOLVED, that Resolution No. 694-12 is hereby amended.

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

RESOLUTION NO. 434-17: AUTHORIZATION TO PURCHASE LEVEL ONE SERVICE PLAN FROM AND FOR THE BLACK CREEK JAIL SECURITY SYSTEM FOR THE WAYNE COUNTY JAIL

Mr. Smith presented the following:

WHEREAS, the need has been identified and approved by Resolution 655-2015 to upgrade the Sheriff's Office Jail Facility Security Management System with software and associated hardware components from Black Creek Integrated Systems Corp., PO Box 101747, Irondale, AL 35210; and

WHEREAS, an annual service plan is needed to continue and maintain the Black Creek Sheriff's Office Jail Facility Security Management System as the warranty will expire on October 20, 2017; and

WHEREAS, the Black Creek Level One Service Plan for the balance of 2017 from October 21 through December 31, 2017 is \$2,742.00; and

WHEREAS, the Black Creek Level One Service Plan for 2018 will be \$14,374.00 and is in the 2018 Budget with Jail Revenue to pay for the service; and

WHEREAS, the Black Creek Level One Service Plan for the above stated time period of 2017 for \$2,742.00 will be paid for with Jail Revenue Funds and at no cost to the county taxpayer; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to purchase the Black Creek Level One Service Plan to cover October 21 through December 31, 2017 at a cost not to exceed \$2,742.00, to be paid for with Jail Revenue Funds and at no cost to the county taxpayer, and upon review and approval by the County Attorney.

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

RESOLUTION NO. 435-17: AUTHORIZATION TO AMEND THE 2017 BUDGET TO CARRY OVER THE 2016 REMAINING BALANCE FOR THE 2015 STATE LAW ENFORCEMENT

TERRORISM PREVENTION PROGRAM (SLETPP)

Mr. Smith presented the following:

WHEREAS, the Wayne County Sheriff's Office is participating in a grant program from the Department of Homeland Security and Emergency Services under the State Law Enforcement Terrorism Prevention Program, in the amount of \$42,500.00; and

WHEREAS, a balance of \$10,188.70 to complete the project was available as of December 31, 2016 and fell to the General Fund Balance; and

WHEREAS, the balance of the funds will be used to purchase Mobile Data Terminals (MDTs) as previously authorized; therefore, be it

RESOLVED, that Wayne County Treasurer is hereby authorized to amend 2017 County Budget as follows:

Account No A1990 – General Fund Contingencies

(Appropriations)

Amount	Object#	Object Name
\$10,188.70 from	54000	contractual Expenses

Account No A3114 - Road Patrol

(Appropriations)

Amount	Object#	Object Name	Project ID	Project ID
\$10,188.70 to	52500	Other Equipment	LET15	SLETPP15

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

RESOLUTION NO. 436-17: AUTHORIZATION TO AMEND THE 2017 BUDGET AND EXPEND FUNDS UNDER THE 2016 STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (SLETPP) GRANT

Mr. Smith presented the following:

WHEREAS, Resolution No. 140-17 established the original budget for the 2016 State Law Enforcement Terrorism Prevention Program Grant; and

WHEREAS, since that time, additional project costs have been identified; and

WHEREAS, in addition to the previously authorized equipment, this grant will be utilized to purchase medical training for the Wayne County Tactical Medic Team in support of the county Emergency Response Team (ERT) at a cost not to exceed \$5,600.00; and

WHEREAS, the Sheriff is requesting that authorization be granted to purchase the above stated training authorized under said grant; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to purchase the aforementioned training, as authorized under said grant, at a cost not to exceed \$5,600.00 and at no cost to County taxpayers; and, be it further

RESOLVED, that Wayne County Treasurer is hereby authorized to amend 2017 County Budget as follows:

Account No A3114 - Road Patrol

(Appropriations)

Amount	Object#	Object Name	Project ID	Project ID
\$5,600 from	54438	Maintenance/Repairs	LET16	SLETPP16
\$5,600 to	54483	Training-Seminars-Schools	LET16	SLETPP16

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

RESOLUTION NO. 437-17: AUTHORIZATION TO DECLARE A PATROL VEHICLE PARTITION CAGES SURPLUS AND TRANSFER THE ITEM TO THE WAYNE COUNTY HIGHWAY FOR DISPOSITION

Mr. Smith presented the following:

WHEREAS, the Sheriff's Office has (8) patrol car partition cages that are no longer being used due to the size and design that are not compatible with the new patrol vehicles that have been placed into service; and

WHEREAS, the Sheriff is requesting that the aforesaid items be declared surplus; and

WHEREAS, the Sheriff is requesting the aforesaid items be transferred to the Wayne County Highway Department for disposition; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to declare surplus the aforementioned patrol vehicle partitions and turn said items over to the Wayne County Highway Department for disposition.

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

RESOLUTION NO. 438-17: ADOPTION OF LOCAL LAW AMENDING LOCAL LAW NO. 2-2000 IN RELATION TO ESTABLISHING THE CONTINUITY OF COUNTY GOVERNMENT IN THE EVENT OF A DISASTER

Mr. Smith presented the following:

WHEREAS, a proposed local law Amending Local Law No. 2-2000 In Relation to Establishing the Continuity of County Government in the Event of a Disaster was presented to the Board of Supervisors on July 18, 2017, and

WHEREAS, a public hearing on the proposed local law was held on Monday, August 14, 2017 at 11:05 am at a scheduled Board Meeting held at the Wayne County Fair, W. Jackson Street, Palmyra, New York, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore be it

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

**COUNTY OF WAYNE - STATE OF NEW YORK
LOCAL LAW NO. 2 FOR THE YEAR 2017**

A Local Law Amending Local Law No. 2-2000 Establishing the Continuity of County Government in the Event of a Disaster.

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

SECTION 1. DESIGNATION OF DUTIES DURING EMERGENCY OR DISASTER.

Pursuant to Article 2-B of the Executive Law of the State of New York, in the event of a natural or man-made disaster, as defined in section 20 of the New York Executive Law, within the County of Wayne, the following directives shall apply to the conduct and duties of the Wayne County offices and agencies.

- A. All County officers and Agencies of the County of Wayne shall continue regular County government operations to the extent permitted by natural or man-made disaster emergency conditions, shall implement all provisions of disaster preparedness and emergency response plans as authorized by the Chairman of the County Board of Supervisors (hereafter may be referred to as "the Chairman"), and if necessary, will follow lines of succession established by this Local Law for continuity of government.
- B. All County Officers listed in paragraph E and all others, who are so directed by the Chairman shall report to the County Emergency Management Office or such alternate site indicated to direct their Agency operations from there.
- C. All County Officers and agencies are hereby designated as Disaster Preparedness Forces pursuant to Article 2B of the Executive Law and Civil Defense Forces of Wayne County pursuant to the State Defense Emergency Act.
- D. The Chairman of the Board of Supervisors:
 1. Shall be responsible for the conduct of natural or man-made operations.
 2. May declare a state of emergency in all or part of the County and issue such executive orders to expedite the response to the emergency that exists or is

- imminent pursuant to Article 2-B, section 24 of the State Executive Law.
3. Shall utilize, when necessary, County Emergency Management/Civil Defense forces as provided in Article 2-B of the Executive Law, and any New York State Defense Emergency statutes.
 4. Shall when necessary, procure assistance from the State and Federal Government and other political subdivisions.
 5. Shall submit to the New York State Emergency Management Office and Disaster Preparedness Commission all such reports as are required as a basis for obtaining State and/or Federal financial assistance.
- E. The following officers and agencies of Wayne County shall direct the coordinate performance of their emergency functions in the event of a natural or man-made disaster.
1. County Attorney: Renders advice and legal opinion to the Chairman with regard to continuity of government, and interpretation, application and implementation of the New York State and United States Government laws, rules and regulations, as well as orders of the State Disaster Preparedness Commission, and executive orders.
 2. Director of Emergency Management: Maintains and activates the Emergency Operations Center, coordinates the activities of governmental, private, and volunteer agencies associated with preparation for, response to, mitigation of, and recovery from a disaster within the County.
 3. Sheriff: Maintains law and order including protection of life and property, regulates and controls traffic, directs the injured and sick to medical installations, and those in need of temporary shelter to mass care installations, and provides assistance to handicapped persons by obtaining transportation and directing them to the American Red Cross or other suitable reception and mass care installations. Provides personnel for field monitoring teams to respond to an accident at the Ginna Nuclear Power Plant.
 4. District Attorney: Acts as legal advisor to the Sheriff and other law enforcement officials with regard to Criminal Law matters.
 5. Highway Superintendent: Maintains highways and bridges under his jurisdiction, oversees clearing of roads from ice, snow, and other debris, coordinates activities with other highway departments and utilities, assists emergency services providers when necessary, assists in assessments and documentation of the disaster impact on the County. Provides personnel for County response to an accident at the Ginna Nuclear Power Plant.
 6. Fire Coordinator: Coordinates the containment and extinguishment of fires, obtains aid, utilizes fire emergency rescue and first aid squads and departments for removal of trapped and injured persons from damaged buildings and structures and coordinates the county's firefighting departments through the County Mutual Aid Plan.
 7. EMS Coordinator: Coordinates the provision of resources for triage, treatment and transport of ill and injured victims between service provider(s) and hospital(s). Obtains aid utilizing EMS first response and ambulance service providers.
 8. Commissioner of Social Services: Furnishes authorized assistance to those in need in accordance with the provisions of the Social Services Law, and provides staffing at reception centers to register incoming evacuees from a radiological accident at the Ginna Nuclear Power Plant.
 9. Director of Public Health: Provides health and medical assistance to the population, including safe-guarding the health of people and procuring medical care for sick and injured. Provide decontamination assistance for those evacuees from an accident at the Ginna Nuclear Power Plant.
 10. Director of Mental Health: Provides assistance to those requiring mental health services following a disaster situation.
 11. Director of Office for the Aging: Assess and minister to the disaster needs for the

elderly, provide departmental resources, facilities, and personnel to meet these needs.

12. Superintendent of Buildings and Grounds: Provides building maintenance services necessary to affect disaster response and recovery operations to ensure essential Emergency Operations Center functions including, but not limited to emergency power, ventilation, lights, plumbing and accessibility of the parking lot(s).
 13. Director of Planning: Provides assistance in analyzing economic and other disaster impact information required for state and federal assistance. Shall provide code, land use, and research data available to affect disaster operations.
 14. County Clerk: Is responsible for the maintenance and availability of essential records, documents and other materials required during the emergency.
 15. Clerk of the Board of Supervisors: Assists the Chairman in whatever manner possible.
 16. Any other county official(s) or employee(s) deemed necessary by the Chairman shall render whatever aid possible as directed by the Chairman.
- F. Each County Officer shall render to the Chairman with regard to his/her agency, a report of natural disaster expenditures, obligations to spend and resources utilized (above normal).
- G. To ensure an effective operational capability in the event of a natural or man-made disaster or a national emergency, it is incumbent upon those named in this resolution to prepare themselves and their agencies to fulfill their assigned duties and responsibilities by organizing, planning, recruiting and training to achieve the full integration of existing local resources of manpower, materials, facilities and services into an emergency operation. They shall also maintain a list of employee home addresses and phone numbers to be used for emergency call-backs to work.
- H. In the event of a natural or man-made disaster or national emergency, or preparation therefore, all the officers of the County shall have the authority to assign emergency management functions to members of their staffs and such personnel shall cooperate and extend such services as required of them.
- I. Succession of Authority: In the absence of the Chairman or in the event of his/her inability during a period of disaster, the succeeding chain of command during the period of the disaster shall be: Vice Chairman, then Public Safety Committee Chairman. Such chain of command shall remain in effect unless the Board of Supervisors (or the committee exercising its function) by resolution designates a different chief administrator for purposes of the particular emergency or disaster.
- J. The chief elected or appointed officers of the County shall provide for continuity of government by establishing a chain of command. To insure prompt notification to administrative officials, the County Emergency Management Office should be advised of each departmental line of succession. Whenever possible, the line of succession should extend to four levels of management including home addresses and home phone numbers, and phone numbers of pagers and cell phones if available and/or used by the person.
- K. If, as a result of a disaster, the County Board of Supervisors is unable to discharge its powers and duties, and the Chairman or his/her appropriate successor pursuant to this Local Law files a sworn certificate with the County Clerk and the Clerk of the Board of Supervisors to that effect, then the following officers shall act collectively as the government body in its place: Emergency Management Director, County Administrator, and Wayne County Sheriff. The Chairman may designate substitutes if one or more of the above-mentioned persons are not available, such substitute designation to be made by sworn certificate filed with the County Clerk and Clerk of the Board of Supervisors. Persons other than county supervisors may be designated as substitutes only after it is determined that there are no county supervisors available. The emergency governing body shall have all the power and duties of the Board of Supervisors and may appoint replacements for County Officers not available to act in their disability or absence.

SECTION 2. EFFECTIVE DATE.

This local law shall be part of the Disaster Preparedness Plan for Wayne County and shall be effective upon completion of filing procedures required by Law.

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

RESOLUTION NO. 439-17: ADOPTION OF LOCAL LAW AMENDING LOCAL LAW NO. 6-2002 IN RELATION TO REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK; AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW § 186-g. (TABLED – 8/14/17)

Mr. Smith presented the following:

WHEREAS, a proposed a local law in relation to repealing the Wireless Communications surcharge authorized by article six of the County Law of the State of New York; and imposing the Wireless Communications surcharges pursuant to the Authority of Tax Law § 186-g was adopted by the Board of Supervisors on October 16, 2002 as Local Law No. 6 of 2002 was presented to the Board of Supervisors on July 18, 2017; and

WHEREAS, a public hearing on the proposed local law was held on Monday, August 14, 2017 at 11:10 am at a scheduled Board Meeting held at the Wayne County Fair, W. Jackson Street, Palmyra, New York, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore be it

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

**COUNTY OF WAYNE - STATE OF NEW YORK
LOCAL LAW NO. XXX FOR THE YEAR 2017**

A Local Law Amending Local Law No. 6-2002 Repealing the Wireless Communications Surcharge Authorized by Article Six of the County Law of the State of New York; and Imposing the Wireless Communications Surcharges Pursuant to the Authority of Tax Law § 186-G.

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

SECTION 1. Local Law No. 6 of 2002 adopted by the Wayne County Board of Supervisors by Resolution No. 761-2002, which imposed the wireless surcharge currently authorized by Article 6 of the County Law, is hereby REPEALED.

SECTION 2. IMPOSITION OF WIRELESS COMMUNICATIONS SURCHARGES.

A. Pursuant to the authority of Tax Law § 186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Wayne on:

- (i) wireless communications service provided to a wireless communications customer with a place of primary use within such County, at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and
- (ii) the retail sale of prepaid wireless communications service sold within such County, at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

B. Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

C. Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this Local Law, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of

Taxation and Finance on or before its due date.

SECTION 3. ADMINISTRATION OF SURCHARGES.

The surcharges imposed by this Local Law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law § 186-g, and in a like manner as the taxes imposed by Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 4. APPLICABILITY OF STATE LAW SURCHARGES IMPOSED BY THIS LOCAL LAW.

All the provisions of Tax Law § 186-g shall apply to the surcharges imposed by this Local Law with the same force and effect as if those provisions had been set forth in full in this Local Law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this Local Law.

SECTION 5. Net collections received by this County from the surcharges imposed by this Local Law shall be expended only upon the authorization of the Board of Supervisors of the County of Wayne and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such County, as provided in paragraph (9) of Tax Law § 186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The County shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect on December 1, 2017.

Prior to vote, Mr. Spickerman raised concern regarding the .30 cent tax on prepaid phone cards in order to fund 911 centers, and how this process will affect small businesses in Wayne County that sell these products. He further inquired as to how small businesses will track these new charges or process payments to New York State when no responsible process has been thoroughly implemented nor discussed? Mr. Spickerman noted he continued complaint of unfunded mandates in New York State.

Mr. Baldrige moved, seconded by Mr. Spickerman, to return this resolution to the committee process for further discussion.

County Attorney Connors noted that this was not proper procedure with the Rules of this Board and indicated, if desired, that the resolution should be Tabled at this time.

Mr. Baldrige moved to TABLE the resolution. Seconded by Mr. Spickerman. Upon roll call to Table the Resolution No. 439-17, all Supervisors voted Aye except Supervisors Groat, Smith, Miller, Kolczynski, Marini and Verno who voted Nay. The Chairman declared the motion to Table, Carried.

Mr. Smith announced that he would be withdrawing Resolution No. 2-7, entitled "AUTHORIZATION TO ENTER INTO MEMORANDUM OF UNDERSTANDING (MOU) WITH CIVIL SERVICE EMPLOYEES ASSOCIATION, INC."

RESOLUTION NO. 440-17: AUTHORIZATION TO HOST TACTICAL COMBAT CASUALTY CARE (TCCC) TRAINING COURSE

Mr. Smith presented the following:

WHEREAS, Tactical Combat Casualty Care (TCCC) training has become the national standard for training tactical medics and emergency response team personnel in the life saving techniques needed to help keep personnel safe, and to provide for the highest chance for survivability when life threatening injuries are sustained in the high risk environments in which the Sheriff's Office Emergency Response Team operates; and

WHEREAS, a TCCC training class has been identified for offering in Wayne County, with said class including participant certification through the NAEMT (National Association of Emergency Medical Technicians), including two full days of instruction by NYPD instructors, on site at County facilities; and

WHEREAS, grant funding has been identified to cover the registration cost for County team members, using funds from the 2016 State allocation in the LETPP (Law Enforcement Terrorism Prevention Program) grant program, as the State has approved an expenditure of \$5600 in the aforementioned grant budget for this purpose, and

WHEREAS, the following prices were found for equivalent TCCC two day training classes, certified through the NAEMT:

Florida TCCC, held in Fort Lauderdale, FL
\$400 per student

Maryland Committee on Trauma TCCC, held in Ocean City, MD
\$425 per student

First in CPR, LLC TCCC, held on site in Lyons, NY
\$225 per student

now, therefore, be it

RESOLVED, that authorization is hereby given to host a TCCC training course, scheduled for September 27th and 28th, 2017, with training to be provided by First In CPR, LLC, coordinated by Sergeant Scott Harding of the New York City Police Department; and be it further

RESOLVED, that the registration charges for course enrollees who are members of the County's Tactical Medic program or the Sheriff's Office Emergency Response Team shall be derived from the LETPP grant, at a total expenditure not to exceed the approved budgeted amount of \$5,600.

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

RESOLUTION NO. 441-17: AUTHORIZATION TO REPAIR SHERIFF'S VEHICLE AND AMEND 2017 BUDGET

Mrs. Marini presented the following:

WHEREAS, a 2015 Ford Interceptor, Plate No.: WCSO152, a Sheriff's vehicle, was damaged when it was stolen and crashed by the thief; and

WHEREAS, the County is attempting to collect restitution regarding said accident; and

WHEREAS, Repair quotes were received as follows:

Watson's -	\$11,386.50
Macks -	\$8,835.31
Bells -	\$10,403.19

and

WHEREAS, upon review of these quotes by Wayne County Highway Superintendent and Central Garage, it is suggested that said vehicle be repaired at Watson's, as Bell's and Mack's missed too many items of required repair; now, therefore, be it

RESOLVED, that the repair quote from Watson's in the amount of Eleven Thousand Three Hundred Eighty Six and 50/100 (\$11,386.50) is hereby accepted for the repair of said vehicle and that the Wayne County Treasurer is authorized to pay the sum of Eleven Thousand Three Hundred Eighty Six and 50/100 (\$11,386.50) for the repair of said vehicle, from Account

No. A19314 54998 (Liability & Casualty) as directed by the Wayne County Attorney; and be it further

RESOLVED, after this bill is paid the County will have expended \$23,838 out of the \$25,000 originally budgeted from this line item, with an additional sum of \$15,000 of vehicle repair work still pending and not yet paid for; and be it further

RESOLVED, the County Attorney believes that an additional \$30,000 will be required for the remainder of 2017 based upon the amounts expended to date in this calendar year; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2017 County Budget as follows:

A1990- CONTINGENT FUND GEN:

\$ 30,000 FROM .54000

A1931 – COUNTY ATTORNEY

\$30,000 to .54998 Liability and Casualty

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

RESOLUTION NO. 442-17: SETTING DATE FOR PUBLIC HEARING ON PROPOSED AMENDMENT OF LOCAL LAW 1-2013, WHICH AMENDED WAYNE COUNTY SELF INSURANCE PLAN FOR WORKERS' COMPENSATION, ESTABLISHED BY LOCAL LAW NO. 5-2011

Mrs. Marini presented the following:

WHEREAS, Local Law No. 5-2011 established the Wayne County Self-Insurance Plan for workers' compensation and repealed prior Local Law No. 1-1956 and subsequent amendments, thereto; and

WHEREAS, Local Law No. 5-2011 was amended by Local Law No. 1-2013; and

WHEREAS, the Wayne County Board of Supervisors desires to clarify authority for settling workers' compensation claims under said Local Law regarding the Wayne County Self-Insurance Plan for workers' compensation; now, therefore, be it

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law, the Board of Supervisors shall hold a public hearing on **Tuesday, September 19, 2017, at 9:05 a.m.**, in the Supervisors Chambers located at 26 Church Street, Lyons, New York 14489, on the following proposed local law, amended as follows:

**COUNTY OF WAYNE - STATE OF NEW YORK
INTRO NO. 4/LOCAL LAW NO. ___ FOR THE YEAR 2017**

A Local Law Authorizing Amendment of the Wayne County Self Insurance Plan for Workers' Compensation.

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

SECTION 1. LEGISLATIVE INTENT

A Local Law amending Local Law No. 5 of 2011, as amended by Local Law No. 1-2013, establishing a plan of self-insurance as provided for in Article 5 of the Worker's Compensation Law, and providing for the administration thereof.

1. The plan of self-insurance provided by said Article 5 of the Worker's Compensation Law, established by Local Law No. 5-2011 and amended by Local Law No. 1-2013 is further amended as provided herein:
2. The plan of self-insurance hereby established shall be administered by Standing Committee No. 5 Government Operations Committee of the Wayne County Board of Supervisors.
3. a) The Committee is herewith granted the powers set forth in Section 64, Subdivision

- 1, of the Worker's Compensation Law with particular reference to the appointment or employment of such persons as may be deemed necessary for the operation of the plan and is herewith empowered to contract for the necessary actuarial or other professional services required in the administration of this plan.
- b) The Committee is also herewith empowered to appoint a Director of such plan and the Director shall perform such duties as may be necessary to operate the plan in accordance with the Worker's Compensation Law; utilizing the services of a Third Party Administrator, the Director shall have the power to authorize payment of Worker's Compensation benefits to claimants as provided by Section 25 of the Worker's Compensation Law; utilizing the services of a Third Party Administrator, the Director shall have the power to authorize necessary medical care which appears from medical reports and/or information to be justifiable; the Director shall have authority to purchase supplies, stationery, forms books, equipment, etc., as may be necessary for the operation of said plan within the limits of the appropriation and subject to the approval of the Committee; and the Director shall have the responsibility to ensure that a report of the plan be prepared annually not later than 60 days following the close of the calendar year, such report to be filed with the Clerk of the Board of Supervisors and provided to each participant of the plan. The Director shall file with the Clerk of the Board on or before August 15 an estimate of need for the Plan for the ensuing year; each participant in the plan shall be notified in writing not later than September 1 of their assessment for the ensuing year.
- c) The Committee is hereby further granted the power and authority to settle claims on behalf of the plan of self-insurance pursuant to Waiver Agreements entered into under the authority of Workers' Compensation Law, Section 32.
4. The County of Wayne shall be a participant in the Plan.
 5. Any of the Towns, Villages, or Union Free and Central School Districts may elect to become a participant in the plan hereby established by filing with the Committee on or before the first day of July of any year a certified copy of the resolution of its governing body electing to become a participant in the plan, with membership to become effective on the first day of January following such filing.
 6. There shall be no entrance fee required for entry into this plan for new members. Previous members who have withdrawn from the plan and wish to reenter the plan shall pay an amount equal to twenty-five percent of the most recent plan assessment for that jurisdiction prior to withdrawing from the plan plus an assessment based upon the formulae contained herein for participating members for the year of re-entry.
 7. Any participant shall be entitled to withdraw from participation in the plan by filing with the Committee on or before the fifteenth day of October of any year a certified copy of the resolution of its governing body electing to withdraw from the plan effective at the end of such year. The withdrawing participant shall be assessed an amount of money equivalent to its proportionate share of the value of all outstanding and unreserved liabilities of the plan as of the date of withdrawal. Outstanding and unreserved liabilities of the plan shall be calculated utilizing the actuarially determined "expected" midpoint of the discounted "Estimated Loss and ALAE Reserves including IBNR" at the year-end for the current year. The date of withdrawing from the plan shall be the last day of the calendar year in which the notice to withdraw is received. On or before September 1, an estimate of said amount may be requested by the withdrawing entity based upon the most recent completed year but is not a binding amount on the plan. The percent of equitable share shall be calculated by dividing the plan assessment for the jurisdiction for the current year by the assessment of all the participants in the plan for the current year, then multiplying that percentage times the difference between outstanding actuarially determined liabilities of the plan as of the date of withdrawing from the plan less the amount of the plan reserve as of that date. The actual amount shall be determined not later than June 1 of the ensuing year and the withdrawing jurisdiction shall remit the amount to the County not later than July 31.

Failure to remit the full amount owed by July 31 shall cause the county to levy the unpaid amount in the next scheduled tax levy against property taxable by the participant responsible for the assessment.

8. The Committee is herewith empowered to require medical physical examinations of any or all employees of any participant as it shall deem necessary. This power shall include the right of examination of all active members of volunteer fire companies participating in the plan. The costs of such examinations shall be paid from the funds of the plan.
9. The Committee is herewith empowered to require the institution of safety programs with respect to any of the participants in this plan as it shall deem necessary.
10. The managing Committee is herewith empowered to require the participating members to promptly file reports of all accidents; to notify the Committee of the work status of any injured employee; to promptly file payroll information upon request, and to co-operate in every manner with the Committee and Director of the Plan.
11. For each infraction of Sections 8, 9, and 10 hereof, the offending participant may be assessed a fine in a sum to be determined by the Committee but which shall not in any event exceed \$50.00 for each infraction. The Committee is herewith empowered to suspend or excuse the assessment and/or the collection of such fines upon the proper showing by the offending participant. Any such penalty so assessed shall be collected at the same time and in the same manner as other charges against such participant as set forth in Section 15 of this law.
12. a) Definitions
 - (i) "Annual Estimate" is the annual estimate prepared pursuant to Section 67 of the Workers' Compensation Law.
 - (ii) "Incurred loss experience" includes paid losses plus reserves.
 - (iii) "Plan Group A" includes all school districts in the Wayne County Self-Insurance Plan.
 - (iv) "Plan Group B" includes the County of Wayne and all Towns and Village participants in the Wayne County Self-Insurance Plan.
 - (v) "Plan Group A and B loss distribution factor" shall be 100% of the total Plan assessment.
 - (vi) "Plan Group A, and B three-year experience assessment" is the amount determined by multiplying fifty percent of the total annual estimate by the Plan Group A, and B three-year loss distribution factor.
 - (vii) "Participant's experience rating factor" for each Plan
 - (viii) Group A, and B participant is the participant's pro rata share, expressed as a percentage, of the incurred loss experience for all Plan Group A, and B participants in the three consecutive calendar years immediately preceding the year in which the annual estimate is prepared. The amount in excess of \$20,000 incurred for an individual claim in any calendar year shall not be used in determining a participant's loss experience for such calendar year.
 - (ix) "Participant's payroll rating factor" for each Plan Group A, and B participant is the participant's pro rata share, expressed as a percentage, of the total payroll for Plan Group A, and B participants for the year immediately preceding the year in which the annual estimate is prepared.
 - (x) "Plan Group A, and B payroll assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A and, B loss distribution factor.
 - (xi) "Participant's taxable property value rating factor" for each Plan Group A and B participant is the participant's pro rata share, expressed as a percentage, of the total taxable property value for Plan Group A and B participants for the year immediately preceding the year in which the annual estimate is prepared. For those Plan Group B town participants that have one or more village governments within their jurisdictions the equalized assessments of the participants shall not include the village equalized assessments in the town

- government assessments for the purpose of calculating equalized assessed value for the plan.
- (xii) "Plan Group A and B property value assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A, and B loss distribution factor.
 - (xiii) "Plan Group A property value assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A loss distribution factor.
 - (xiv) "Plan Group B property value assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group B loss distribution factor.
- b) Apportionment of Costs
- (i) Twenty-five percent of the annual estimate of costs shall be apportioned to each Plan participant on a payroll rating basis. The share for each participant shall be determined by multiplying the participant's payroll rating factor by the participant's Plan Group payroll assessment.
 - (ii) Fifty percent of the annual estimate of costs shall be apportioned to Plan participants on an experience rating basis. The share of each participant shall be determined by multiplying the participant's experience rating factor by the participant's Plan Group experience rating factor.
 - (iii) The amount in excess of \$20,000 incurred for an individual claim in any calendar year shall not be used in determining a participant's loss experience for such calendar year.
 - (iv) If the total amount apportioned to a participant in any year exceeds twice the amount apportioned to such participant in the immediately preceding year, the excess amount shall not be charged to the participant but shall be apportioned to all other participants utilizing the percent of each participants current assessment as a percent of the total assessments of all other participants, less the assessment for any participant that exceeds twice the amount apportioned, to apportion the excess amount to all other participants.
 - (v) Twenty-five percent of the annual estimate of costs shall be apportioned to each Plan participant on a property value rating basis. The share for each participant shall be determined by multiplying each participant's equalized taxable property value rating factor by the participant's Plan Group property value assessment. For those Plan Group B town participants that have one or more village governments within their jurisdictions the equalized assessments of the participants shall not include the village equalized assessments in the town government assessments for the purpose of calculating equalized assessed value for the plan.
13. Payment of the amounts so proportioned to participating towns as provided in Section 13 shall be made to the Wayne County Treasurer not later than thirty (30) days after the commencement of such participant's next fiscal year, as provided in Section 67 of the Workmen's Compensation Law.
- Any amount proportioned to participating towns, villages, or school districts that is not remitted by the specified due date may be levied in the next scheduled tax levy for the year after it was due against property taxable by the participant responsible therefore. When collected, such amount shall be paid over to the Wayne County Treasurer and by him credited to the Wayne County Self Insurance Fund. For the failure of a participant to pay its share of an annual estimate within thirty (30) days after the commencement of its fiscal year, there shall be assessed a penalty equal to but not exceeding one per cent per month on the amount billed to the date of payment.
14. If at any time there are insufficient moneys in the Wayne County Self Insurance Fund, exclusive of the reserve, to operate the plan, the County Treasurer shall advance to such fund such amount from the General Fund of the County as shall be requested by

the Committee and approved by resolution of the Board of Supervisors. Any such advance shall be repaid as soon as moneys are available therefore, but in no event later than the close of the calendar year succeeding the calendar year in which the advance was made. However, any such advance may be repaid not later than the close of the second calendar year succeeding the calendar year in which such advance was made, when made during such calendar year at a time subsequent to the preparation of the estimate by the Committee for the succeeding calendar year.

15. A self-insurance reserve in addition to the plan reserve for estimated loss and ALAE Reserves including IBNR in an amount not to exceed \$50,000 is hereby authorized to be established for the Wayne County Self-Insurance Plan. The funds for such reserve may be provided by (1) contributions to the reserve included in the annual estimate prepared by the Committee; (b) the transfer of moneys from the unexpended current fund balance upon authorization by the Committee, or (c) the accumulation of interest earned from the investment of reserve funds.
16. The Committee is herewith empowered to invest the reserve funds in accordance with Section 6-F of the General Municipal Law.
17. In the event of abandonment of the plan, all moneys remaining in such reserve in excess of an amount sufficient to satisfy all accrued and contingent liability shall be refunded to the participants in the same manner as collected by the most recent apportionment.
18. The committee, subject to the approval of the Board of Supervisors, may on behalf of the plan purchase excess or catastrophe insurance and the cost of such insurance shall be an administrative expense of the plan.
19. The Board of Supervisors may, by local law, provide for the abandonment of this plan. Such abandonment shall be effective as of the close of the calendar year in progress. Such plan, however, shall continue to operate thereafter until all liabilities of the plan incurred prior to such effective date shall have been satisfied and all advances to the Wayne County Self Insurance Fund repaid. Any assets of the plan remaining after the satisfaction of such liabilities shall be distributed among the participants, such participants to share in a pro rata basis on the equalized assessed valuation then effective."

SECTION 2. EFFECTIVE DATE

This local law shall take effect immediately.

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

RESOLUTION NO. 443-17: AUTHORIZATION TO SIGN CHANGE ORDER TO PURCHASE AND INSTALL SHOWER SECURITY DOORS FOR THE JAIL FACILITY

Mrs. Marini presented the following:

WHEREAS, resolution 495-16 authorized a contract with Maximum Security Products Corporation, 3 Schoolhouse Road, Waterford, NY for modification to the Jail Facility INMATES housing area; and

WHEREAS, these modifications to the Pod areas were completed earlier in 2017 and since then it has been discover that two additional doors should be added to shower area of each Pod area for both Inmate and Correction Officers safety and security; and

WHEREAS, Maximum Security Product has provided the County with the cost for the production, purchase and installation of these two additional security doors at a cost not to exceed \$18,747.00; now, therefore, be it

RESOLVED, that the Wayne County Sheriff is hereby authorized to sign change order to have installed two additional shower security doors from Maximum Security Products Corporation, 3 Schoolhouse Road, Waterford, NY at a cost not to exceed \$18,747.00, to be paid by the Jail Revenue Account, with no cost to County taxpayers, upon review and approval of the County Attorney.

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

RESOLUTION NO. 444-17: AUTHORIZATION TO SIGN AN AGREEMENT TO RENEW MAINTENANCE FOR CITRIX REMOTE ACCESS AND SECURITY SOFTWARE

Mrs. Marini presented the following:

WHEREAS, the Information Technology Department uses Citrix software to enable remote access for applications in multiple county departments and network security; and

WHEREAS, Citrix Maintenance can only be purchased directly from Citrix; and

WHEREAS, the annual cost of maintenance for the period of 12/10/2017- 12/10/2018 is \$4,560.54; now, therefore, be it

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

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

RESOLUTION NO. 445-17: AUTHORIZATION TO RENEW POLLUTION LIABILITY INSURANCE WITH EASTERN SHORE ASSOCIATES

Mrs. Marini presented the following:

WHEREAS, the County of Wayne has pollution liability exposures at the Highway Department (7227 Route 31, Lyons) including two underground gasoline/ethanol storage tanks, one underground diesel storage tank, and four above ground storage tanks; and

WHEREAS, there are also generator fuel storage tanks creating pollution liability exposures at the Jail (underground tank), Nursing Home (above-ground tank), and Public Safety Building (above-ground tank); and

WHEREAS, the County also held a Household Hazardous Waste Collection Event in 2012, which creates a pollution liability exposure while collected items remain at their final disposal site; and

WHEREAS, the expiring premium on the policy written for the term 9/1/2014 - 9/1/2017 was \$15,499.00, which did not include coverage for the tanks at the Jail, Nursing Home, and Public Safety Building; and

WHEREAS, this policy is written on a "claims-made" basis, meaning that coverage applies if the policy is in place at the time a claim is made, (as opposed to at the time an incident occurs); and

WHEREAS, the Self-Insurance Specialist has obtained the following pollution liability renewal quotes from Eastern Shore Associates:

<u>Carrier</u>	<u>Policy Term</u>	<u>Premium</u>
Berkley Insurance Company	1-year	\$ 8,582.00
Berkley Insurance Company	3-year	\$19,414.00

now, therefore, be it

RESOLVED, that the Self-Insurance Specialist is hereby authorized submit an insurance binding order to Eastern Shore Associates for the aforementioned 3-year term pollution liability policy.

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

RESOLUTION NO. 446-17: AUTHORIZATION TO SEND LETTER OF TERMINATION TO IMS, INC. TO DISCONTINUE PRE-SORT MAIL SERVICES FOR WAYNE COUNTY DEPARTMENTS

Mrs. Marini presented the following:

WHEREAS, pursuant to Resolution No. 511-15, the Wayne County Board of Supervisors entered into an agreement with IMS, Inc. for the provision of pre-sort mail services for all Wayne County Departments; and

WHEREAS, due to postage rate changes from the United States Postal Service (USPS) in January 2017, this program has not proven to be as cost effective as originally projected in the 2015 agreement; and

WHEREAS, said pre-sort mail services provided have not met the Board's expectations with regard to timeliness of delivery and certainty of delivery and have not complied with all obligations of said agreement; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors wishes to terminate the contract with IMS, Inc. pursuant to the provisions of contractual Paragraph 9 of said agreement; and be it further

RESOLVED, that the Wayne County Attorney is hereby directed to send a letter on behalf of the County of Wayne, terminating the contract with IMS, Inc., upon a sixty (60) day notice of this resolution.

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

RESOLUTION NO. 447-17: AUTHORIZATION TO ACCEPT NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES GRANT. CREATE AND FILL POSITIONS AND AMEND 2017 BUDGET.

Mr. Smith presented the following:

WHEREAS, New York State Office of Indigent Legal Services had advised the Wayne County Public Defender of the availability of a competitive a grant for the purpose of providing counsel at first appearance in justice courts; and

WHEREAS, the Public Defender's Office applied for aforesaid competitive grant and has received notification the sum of \$317,250 has been awarded; and

WHEREAS, the term of said grant is for three years beginning immediately; and

WHEREAS, the grant will fund a new full-time Assistant Public Defender in the Public Defender's Office, including 100% of all salary and benefits; and

WHEREAS, the grant will fund expansion of contract lawyer fees for services providing counsel at first appearances in justice courts; and

WHEREAS, the grant will fund language interpreters on an as-needed basis during counsel at first appearances in justice courts; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to accept said grant and to sign the required contract, subject to the review and approval by the Wayne County Attorney as to subject and content; and be it further

RESOLVED, that one (1) full time Assistant Public Defender position is hereby created at an annual salary not to exceed \$62,000, and that the Wayne County Public Defender is authorized to fill that position; and be it further

RESOLVED, that the Assistant Public Defender position will be abolished upon completion of the grant cycle, or in the event funding is curtailed; and be it further

RESOLVED, that the Wayne County Public Defender is authorized to pay contract attorneys for services rendered at first appearances in justice courts from said grant; and be it further

RESOLVED, that the Wayne County Public Defender is authorized to pay language interpreters for services rendered during counsel at first appearance in justice court from said grant; and be it further

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

A1170 PUBLIC DEFENDER

(Revenue)

Amount	Object #	Project ID	Object Name	Description
\$ 41,135	43024	CAFA2	Indigent Legal Services	CAFA2 – Counsel at First Appearance

(Appropriations)

Amount				
\$ 25,000 to	51704	CAFA2	Assistant Public Defender CAFA	New F.T. Assist. Public Defender
\$ 7,000 to	54400	CAFA2	Contractual Services	Attorney Contract Servs CAFA2
\$ 250 to	54500	CAFA2	Fees for Services	Interpreting Services CAFA2
\$ 2,500 to	58100	CAFA2	NYS Retirement	
\$ 6,300 to	58400	CAFA2	Hospital	
\$ 2,000 to	58200	CAFA2	Social Security	
\$ 63 to	58600	CAFA2	Disability	
\$ 22 to	58901	CAFA2	EAP	

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

Mr. Smith, moved, seconded by Mr. Verno to removed Resolution No. 379-17 from the Table. Motion carried.

RESOLUTION NO. 379-17: AUTHORIZATION TO ENTER INTO CONTRACT WITH CLOUD 5 SOLUTIONS, LLC FOR CUSTOM SOFTWARE DEVELOPMENT

Mr. Smith presented the following:

WHEREAS, Wayne County has had a service request filed with Hexagon since November 9, 2016 for the development of a printed MPS event report; and

WHEREAS, Hexagon reassigned this request on March 8, 2017 to a Customer Requested Enhancement, but has yet to provide a quotation for this work; and

WHEREAS, Cloud 5 Solutions, LLC provides third party programming and other support services for Hexagon products, which includes the successful creation of this report for other Hexagon customers; and

WHEREAS, Cloud 5 Solutions, LLC has advised Wayne County that they can create said report for Wayne County at an hourly rate of \$150 per hour, not to exceed \$1,950; and

WHEREAS, there is adequate funding available in the CAD Project account to fund this contract; 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 County of Wayne, subject to the County Attorney's approval as to form and content, with Cloud 5 Solutions, LLC for the development of said report at an hourly rate of \$150 per hour, not to exceed \$1,950.

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

Mr. Groat commented on the proposed resolution that was *Tabled* today for the Local Law regarding the new 911 surcharge for cell phones. He asked if there was concern with this legislation, why this was not questioned at the standing committee level prior to today. He further asked Supervisor Spickerman if he will be attending that meeting to discuss his argument.

Mr. Groat invited everyone to attend the parade in the Village of Clyde, scheduled for Tuesday evening, August 15, 2017. This marks the 120 year of celebration in honor of the Feast of the Assumption of the Virgin Mary.

ANNOUNCEMENT:

Prior to adjournment, Chairman LeRoy stated that the Wayne County Board of Supervisors will be hosting a Lake Ontario Flood Response Recognition Night at the Sodus Point Fire Hall on Wednesday, August 30 at 7 p.m., to recognize and thank the many

individuals and agencies who responded during the high water crisis. All were requested to attend.

ADJOURNMENT:

The next scheduled meeting of the Board is **Tuesday, September 19, 2017 at 9:00 a.m.**

Mr. Chatfield moved, seconded by Mr. Miller, that the board adjourn at 12:29 p.m. Carried.

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