

18th Day  
Tuesday, September 15, 2015  
7:00 p.m.

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

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

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

**APPROVAL OF MINUTES:**

Mrs. Crane moved, seconded by Mrs. Marini, 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 board communications received and to approve them as listed:

A copy of the Sheriff's Cash Receipts Report dated August 20, 2015 totaling \$14,381.83 was received and filed.

An e-mail was received from Belinda McElroy, owner of a Wayne County bed and breakfast business, regarding her concerns with Wayne County enacting a hotel, motel and seasonal rental occupancy tax; that this Home Rule request for resolution should be specific to the promotion of tourism in Wayne County.

Copy of a memorandum from Lindsey Burgess, Self-Insurance Specialist for Wayne County was received providing the Board with an Estimate of Need for 2016 Wayne County Self-Insurance Workers' Compensation Plan.

The Actuarial Report dated August 13, 2015, was received from Lindsey Burgess, Self-Insurance Specialist for Wayne County.

A letter of thanks was received from Tom and Sherry Watson, owners of the Pultneyville Grill, regarding the personal service of the County highway Department during the culvert repair on Lake Ave and Jay Street. They greatly appreciated the team allowing customers of the businesses in Pultneyville to have normal access without critical road closures during this important summer season.

A thank you letter was received from Larry Ann Evans, Executive Director of the Wayne County Historical Society, thanking the Board for the 2015 Budget Appropriation recently received.

A letter of notification was received from the NYS Thruway Authority and the NYS Canal Corporation regarding the rehabilitation of the moveable May's Point Dam No. 18 adjacent to Lock E-25 on the Erie Canal-Seneca County, altering the non-navigation season water levels of the Clyde River/Lock E-25 upper and lower pools that reach into the Towns of Galen, Savannah, Tyre and Montezuma from December 2015 until April 2016.

A Notice of Cancellation was received from the Town of Tyre, to cancel two Public Hearings that were to be held on August 27, 2015 at 7:30 p.m. for the Lago Resort and Casino project.

A copy of the 2014 Annual Report from NYMIR - The New York Municipal Insurance Reciprocal was received.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments, including the August warrants for accounts payable totaling \$3,413,247.36 was received and filed.

Mr. Hammond moved, seconded by Ms. Park to receive and file the Communications for September. Motion carried.

**SCHEDULED BUSINESS:**

Steve Groat, Chairman of the Health and Medical Services Committee, accepted the Certificate of Recognition from Penny Gugino, MPA I Coalition Director I Tobacco Action Coalition of the Finger Lakes - American Lung Association of the Northeast, for the commitment of making Wayne County Buildings smoke free for employees and the public that use them.

Justin J. Del Vecchio, P.E., Account Executive from TRANE US, presented a check for \$441,476 for incentives for Energy & Conservation Measures for the ESCO Project. Ken Miller, Chairman of the Public Works Committee, along with Kevin Rooney, Superintendent of Public Works, County Administrator Jim Marquette and Chairman Jim Hoffman, accepted the NYSERDA Grant Funds on behalf of the county.

**PRIVILEGE OF THE FLOOR:**

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

**PROCLAMATIONS AND RECOGNITIONS**

- Brian Manktelow, Chairman of the Human Services Committee, presented a Proclamation of Appreciation to Wayne County Lifeguards: Raben Osborne, Jake Kehoe, Ben Furber, Sarah Gulino, Amber Lamar and Connor Pendleton for their heroic actions in rescuing individuals in distress on the Bayside of Sodus Point Park on July 7, 2015.
- Steve Leroy, Chairman of the Public Safety Committee, read the Proclamation in recognition of Office of Sheriff Week in Wayne County - September 14-20, 2015.
- Sheriff Barry Virts read a Proclamation of Appreciation and presented the Meritorious Conduct Medal to Deputy Matthew Weber, for his heroic actions in saving the life of Janice Filion on August 13, 2015 at the Aqueduct Park in the Town of Macedon.

**PUBLIC HEARING:**

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

The Clerk read the introduction of the Notice of Public Hearing regarding a proposed local law for the Rules for the Wayne County Parks Law, scheduled for 7:05 p.m.:

**COUNTY OF WAYNE  
NOTICE OF PUBLIC HEARING FOR LOCAL LAW  
INTRO NO. 6 - Wayne County Parks Law**

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on **Tuesday, September 15, 2015, at 7:05 p.m.** in the Supervisors' Chamber in the County Court House, Lyons, New York, on the following proposed local law: A Local Law repealing Local Law No. No. 7-2014, entitled "Establishing rules and regulations for County Parks" and enacting the Wayne County Parks Law".

The complete text of this proposed Local Law is on file in the Office of the Clerk of the Board at the Wayne County Court House, 26 Church Street, Lyons, New York and is available for review by any interested persons during business hours; and also by referring to the Wayne County website at:

[http://co.wayne.ny.us/Departments/COTB/Local\\_Laws.html](http://co.wayne.ny.us/Departments/COTB/Local_Laws.html)

At 7:22 p.m., Chairman Hoffman opened the floor for the public, stating that people interested in making comment for the Local Law regarding the Wayne County Park Laws should come forward to the podium to address the Board. Further, he requested that they state their name and address for the record.

There was no public comment at this time.

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

Mr. Hammond moved, seconded by Mrs. Crane, that the hearing be closed at 7:23 p.m. Upon roll call, carried.

The Clerk read the title of the second Notice of Public Hearing scheduled this evening, regarding a Local Law providing for Cold War Real Property Tax Exemptions for Veterans:

**COUNTY OF WAYNE  
NOTICE OF PUBLIC HEARING FOR LOCAL LAW  
INTRO NO. 7 - Cold War Veterans Property Tax Exemption Act**

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on Tuesday, September 15, 2015, at 7:10 p.m. in the Supervisors' Chamber in the County Court House, Lyons, New York, on the following proposed local law:

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

The complete text of this proposed Local Law is on file in the Office of the Clerk of the Board at the Wayne County Court House, 26 Church Street, Lyons, New York and is available for review by any interested persons during business hours; and also by referring to the Wayne County website at:

[http://co.wayne.ny.us/Departments/COTB/Local\\_Laws.html](http://co.wayne.ny.us/Departments/COTB/Local_Laws.html)

At 7:25 p.m., Chairman Hoffman opened the floor for the public, stating that people interested in making comment for the Local Law regarding the proposed Cold War Real Property Tax Exemptions for Veterans should come forward to the podium to address the Board.

The following Wayne County Veterans addressed the Board and spoke in favor of the proposed Local Law; and requested Board Members to support the adoption:

Patrick Skelly  
Rick Weyersberg  
Randy Watkins  
Jerry Slater  
Del Primmer  
Paul Goudell

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

Mr. LeRoy moved, seconded by Mr. Miller, that the hearing be closed at 7:34 p.m. Upon roll call, carried.

The Clerk read the title of the third Notice of Public Hearing scheduled this evening regarding proposed 2016-2020 Capital Plan:

**COUNTY OF WAYNE  
NOTICE OF PUBLIC HEARING**

## 2016-2020 CAPITAL PLAN FOR WAYNE COUNTY

NOTICE IS HEREBY GIVEN THAT the Wayne County Board of Supervisors will conduct a Public Hearing at 7:15 p.m. on Tuesday, September 15, 2015, at the Historic Wayne County Court House, 26 Church Street, Lyons, New York 14489 in the Supervisors' Chambers on the second floor, 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: <http://co.wayne.ny.us/Capital%20Plan.pdf>

All interested parties are invited to attend the public hearing or to provide written comments to the Clerk of the Board, which written comments will be considered at the hearing.

The Historic Courthouse is in compliance with accessibility standards under the Americans with Disabilities Act. Hearing disabled persons who wish to attend should call Sandy or Debbie at 315-946-5400 at least 48 hours prior to the hearings to make arrangements for an interpreter.

Prior to opening the Public Hearing, Mr. Marquette addressed the Board to explain the 2016-2020 Capital Plan. A copy of the Plan was previously provided to Supervisors showing the total project costs just under \$42 million, with a County cost of \$8.5 million over a five-year period. It was noted this plan was reviewed and amended during a joint Committee meeting of the Finance, Economic Development/Planning, Public Works and Public Safety Committees. Mr. Marquette further emphasized that the 2016-2020 Capital Plan is a planning instrument and not an appropriations or funding commitment.

At 7:35 p.m., Chairman Hoffman opened the floor for the public, stating that people interested in making comment regarding the proposed 2016-2020 Capital Plan, should come forward to the podium to address the Board.

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

Mrs. Crane moved, seconded by Mrs. Deyo, that the hearing be closed at 7:37 p.m. Upon roll call, carried.

### **RECESS:**

Chairman Hoffman request that the Board take a 5 minute recess at 7:37 p.m.

### **REGULAR SESSION:**

The board resumed regular session at 7:41 p.m.

### **RESOLUTIONS:**

#### **RESOLUTION NO. 487-15: AUTHORIZATION TO EXECUTE AGREEMENT PERMITTING FINGER LAKES COMMUNITY COLLEGE TO OFFER COURSES IN WAYNE COUNTY**

Ms. Park presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of Wayne County, subject to the County Attorney's approval as to form and content, with the Ontario County Board of Supervisors and the Board of Trustee of Finger Lakes Community College authorizing FLCC to offer college courses in Wayne County during the period 9/1/15-8/31/16, provided, however, that no cost shall be incurred to Wayne County for the operation of such courses except for the allocable portion of the operating expenses for students residing in Wayne County attending

FLCC in accordance with Section 6305 of the Education Law.

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

**RESOLUTION NO. 488-15: AUTHORIZATION TO AMEND THE 2015 BUDGET TO ALLOCATE PERSONAL SERVICES, RETIREMENT, AND SOCIAL SECURITY BUDGETS TO THE JAIL FOR CONTRACT PAY INCREASES ORIGINALLY BUDGETED IN CONTINGENCIES**

Ms. Park presented the following:

WHEREAS, the 2015 budget includes a contingency budget for the anticipated financial impact of WCSEA Corrections bargaining unit contract settlement to take place during 2015; and

WHEREAS, Wayne County entered into a new contract with the WCSEA Corrections Unit (RES#447-15), resulting in increased Personal Services, Retirement, and Social Security costs for 2015; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2015 County Budget as follows:

**A1990 Contingency Fund General**

(Appropriations)

\$103,118 from 54000 Contractual Expense

**A3150 Jail**

(Appropriations)

\$11,780 to 51371 Corrections Sergeant

\$66,846 to 51475 Corrections Officer

\$18,477 to 58100 Retirement

\$6,015 to 58200 Social Security

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

**RESOLUTION NO. 489-15: AUTHORIZATION TO PARTICIPATE IN GREAT LAKES ONTARIO NATIONAL MARINE SANCTUARY PROPOSAL WITH THE COUNTIES OF JEFFERSON, OSWEGO, AND CAYUGA AND THE CITY OF OSWEGO AND AMEND BUDGET FOR PROMOTIONAL WEB SITE AND VIDEO**

Ms. Park presented the following:

WHEREAS, Wayne County was approached by representatives of Oswego County regarding the possible designation of the portion of Lake Ontario that is adjacent to the participating counties as the Great Lake Ontario National Marine Sanctuary; and

WHEREAS, the participating jurisdictions are the Counties of Jefferson, Oswego, Cayuga, and Wayne and the City of Oswego; and

WHEREAS, formal announcement of the proposal was made on September 4, 2015; and

WHEREAS, it was necessary to establish a promotional web site and video; and

WHEREAS, Wayne County's portion of the cost of this work is \$1,250; now, therefore, be it

RESOLVED, that Wayne County is authorized to participate with the other jurisdictions referenced herein to promote the creation of the Great Lake Ontario National Marine Sanctuary; and be it further

RESOLVED, that the County Treasurer is authorized to amend the 2015 budget as follows:

**A1990 Contingent Fund General**

\$1250 from .54000 Contractual Expenses

**A8020 Planning Board**

\$1250 to .54400 Contracted Services

and be it further

RESOLVED, that the payment of the funds referenced herein is authorized to the County

of Oswego upon invoice.

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

**RESOLUTION NO. 490-15: AUTHORIZATION TO AMEND PROJECT ACCOUNT BUDGETS**

Ms. Park presented the following:

WHEREAS, a periodic review of H Fund Capital Project accounts is necessary to review the status and funding of projects; and

WHEREAS, it was found that the following budget adjustments are necessary now, therefore, be it

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

**H1904 Computer Equipment**

(appropriations)

\$1,348.48 from .52001 VIRT Computer Equipment

\$910.12 to .54475 VIRT Software

\$924.12 from .54520 VIRT Consultants

\$1,362.48 to .59100 VIRT Transfer – General Fund

**H1932 Court House Exp. / Renovation**

(appropriations)

\$3,316.83 from .52000 HR14 Equipment & Other Cap Outlay

\$3,316.83 to .59100 HR14 Transfer – General Fund

**H1956 Community Safety Equip**

(appropriations)

\$1,827.32 from .52000 CAMRA Equipment & Other Cap Outlay

\$273.48 from .54520 CAMRA Consultants

\$2,100.80 to .59100 CAMRA Transfer – General Fund

**H3915 HOMELAND SECURITY SH10 1071 E00**

(revenue)

\$35,620.34 to .43302 Homeland Security

(appropriations)

\$329.01 to .52000 EMS P Equipment & Other Cap Outlay

\$1,548.00 from .52000 PH R Equipment & Other Cap Outlay

\$2,528.00 from .52000 PH S Equipment & Other Cap Outlay

\$710.00 from .52000 PH V Equipment & Other Cap Outlay

\$0.12 from .52201 E911 Computer Equipment

\$0.57 from .52201 EMO Computer Equipment

\$16,206.00 from .54000 PH Contractual Expenses

\$89.00 from .54126 PH Field Supplies

\$754.40 from .54475 EMO Software

\$1,700.00 from .54500 PH Fees for Service- Non-employ

\$58,827.42 to .59100 Transfer – General Fund

**H3916 Homeland Security SH11 1048E00**

(appropriations)

\$462.82 from .52000 SHER Equipment & Other Cap Outlay

\$462.82 to .59100 Transfer – General Fund

**H9999 Other**

(revenue)

\$2.29 to .42401 Interest Earnings

(appropriations)

\$2.29 to .59100 Transfer – General Fund

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

**RESOLUTION NO. 491-15: AUTHORIZATION TO TRANSFER H FUND PROJECT ACCOUNTS BALANCES AND CLOSE PROJECTS**

Ms. Park presented the following:

WHEREAS, a periodic review of H Fund Capital Project accounts was done to determine the status of current projects and available funding; and

WHEREAS, it was found that the following projects are completed and the project accounts can be closed; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to close the following project accounts by transferring \$66,070.35 in cash from the H fund to the General Fund as follows:

**H1904 Computer Equipment**

(appropriations)

\$1,362.48 from .59100 VIRT Transfers – General Fund

**H1932 Court House Exp. / Renovation**

(appropriations)

\$3,316.83 from .59100 HR14 Transfers – General Fund

**H1956 Community Safety Equip**

(appropriations)

\$2,100.80 from .59100 CAMRA Transfers – General Fund

**H3915 HOMELAND SECURITY SH10 1071 E00**

(appropriations)

\$58,827.42 from .59100 Transfers – General Fund

**H3916 Homeland Security SH11 1048E00**

(appropriations)

\$462.82 from .59100 Transfers – General Fund

**A9999-Other**

(revenue)

\$66,070.35 to .45031 Interfund Transfers

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

**RESOLUTION NO. 492-15: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION)**

Ms. Park presented the following:

WHEREAS, proceedings to review real property tax assessments are annually commenced against assessing units, namely the Towns of Wayne County; and

WHEREAS, County taxes are based upon assessments established by the assessing units; and

WHEREAS, the County tax levy is, therefore, affected by any court ordered or stipulated reduction in assessed valuation; and

WHEREAS, this Board approved Resolution No. 444-95, amended by Resolution No. 700-06, which was amended by Resolution No. 688-07 and subsequently Resolution No. 307-10 which defined standards and procedures for County participation in litigation involving challenges to real property assessments; and

WHEREAS, a request from the Town of Arcadia and the Town of Williamson has been received by the Real Property Tax Services Director and reviewed and recommended by the Director and the County Attorney; and

WHEREAS, the written request from the Town of Arcadia does include statement of fact that the *Town of Arcadia, Village of Newark and the Newark Central School District* have resolved for their respective Board approval to share in the defense costs for Real Property Tax Assessment review Article 7 proceedings; and

WHEREAS, the written request from the Town of Williamson does include statement of fact that the *Town of Williamson and the Williamson Central School District* have resolved for their respective Board approval to share in the defense costs for Real Property Tax Assessment review Article 7 proceedings, now, therefore, be it

RESOLVED, that the County of Wayne will participate in providing financial assistance for litigation challenges of real property tax assessments per the provisions of Resolution No. 307-10 for the following Town and their respective petition:

TOWN	Property Owner	Parcel ID#
<u>Index #(s)</u>		
Arcadia 2015-78757	Newark Manor Properties, LLC	68111-09-214608
Williamson 2015-78825	Cadbury Schweppes	66118-00-200084
Williamson 2015-78848	Cornwall Family Lakefront Ents	65119-00-976659
Williamson 2015-78812	Rite-Aid Corporation	65117-08-910873

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

**RESOLUTION NO. 493-15: ESTABLISHING TOWN EQUALIZATION RATES FOR 2016 COUNTY TAXES**

Ms. Park presented the following:

RESOLVED, pursuant to Section 804 of the Real Property Tax Law, that the following rates recommended by the County Finance Committee of the Wayne County Board of Supervisors are hereby adopted and established as the County Equalization rates for the towns in Wayne County for the year 2015 to affect the 2016 County taxes:

Arcadia	97.00	Palmyra	100.00
Butler	97.00	Rose	100.00
Galen	90.00	Savannah	100.00
Huron	100.00	Sodus	98.00
Lyons	98.00	Walworth	100.00
Macedon	99.00	Williamson	100.00
Marion	100.00	Wolcott	100.00
Ontario	97.00		

and be it further

RESOLVED, in accordance with the provision of subdivision 2 of Section 804 of the Real Property Tax Law, that within five (5) days of the date of the adoption of this resolution, the Clerk of the Board shall transmit to each town, on a form prescribed by the State Board of Real Property Services, a written notification of the County equalization rate established for each town.

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

**RESOLUTION NO. 494-15: AUTHORIZATION TO ADD CERTAIN PROPERTIES ACQUIRED BY COUNTY TAX DEED TO THE 2016 REAL PROPERTY TAX AUCTION**

Ms. Park presented the following:

WHEREAS, pursuant to Resolution No. 291-14 and Resolution No. 295-15, certain properties acquired by the County by tax deed were sold at public auction sales held on June 11, 2014 and June 10, 2015; and

WHEREAS, such properties were sold at the public auction sales, subject to approval and acceptance of the bids by the Board of Supervisors; and

WHEREAS, the following properties were never picked up by the first or second bidders within the prescribed time period as detailed in the terms and conditions of the Real Property Tax Auction:

**Village of Newark**  
T.M.# 68110-09-053641  
730 Peirson Ave

**Town of Arcadia**  
T.M.# 68113-12-774682  
3103 Route 88 N

and

WHEREAS, said properties were authorized by resolution to be advertised for seal bids and no bids were received; now, therefore, be it

RESOLVED, that due to no bids having been received, that the following parcels will be added to the 2016 Real Property Tax Auction:

**Village of Newark**  
T.M.# 68110-09-053641  
730 Peirson Ave

**Town of Arcadia**  
T.M.# 68113-12-774682  
3103 Route 88 N

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

**RESOLUTION NO. 495-15: AUTHORIZATION TO AMEND BUDGET FOR TOWER REVENUE AND LEASE COSTS**

Mr. LeRoy presented the following:

WHEREAS, Resolution No. 192-15, authorized the County Treasurer to establish new budget lines in the E911 Budget for the Rose Tower Site lease revenues and expenditures; and

WHEREAS, these funds should be placed in the Emergency Communications budget; now, therefore, be it

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

**A3642 E911 Communications**

(Revenues)

Amount	Object#	Project ID	Object Name
\$9,600	from	.42770	Misc. Revenue

(Appropriations)

\$9,600	from	.54437	Lease
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**A3643 Emergency Communications**

(Revenues)

\$9,600	to	.42770	Misc. Revenue
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(Appropriations)

\$9,600	to	.54437	Lease
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Mr. Hammond moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, adopted.

**RESOLUTION NO. 496-15: AUTHORIZATION TO MODIFY THE BUDGET FOR THE 2015 CAD/MDT/RMS PROJECT**

Mr. LeRoy presented the following:

WHEREAS, as authorized by Resolution 389-15, the County Treasurer has created the project account H1936 for the 2015 Computer Aided Dispatch (CAD), Mobile Data Computer (MDT) and Records Management System (RMS) project; and

WHEREAS, there is a need for \$50,000 to be moved from the Computer Equipment

line to a Software line to pay for operating system software licensing and backup software; now, therefore, be it

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

**H1936 CAD/MDT/RMS**

(Appropriations)

Amount	Object#	Project ID	Object Name
\$50,000 from	.52201		Computer Equipment
\$50,000 to	.54475		Software

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

**RESOLUTION NO. 497-15: AUTHORIZATION TO MODIFY THE BUDGET AND EXPEND 2014-2015 PSAP GRANT FUNDS**

Mr. LeRoy presented the following:

WHEREAS, Resolution 670-14, authorized the acceptance of a 2014-2015 Public Safety Answering Points Grant in the Amount of \$169,703 ; and

WHEREAS, it was originally intended for those funds to be expended for new Computer Aided Dispatch Consoles for the existing E911 Center; and

WHEREAS, since that time, it has been decided that the E911 Center will be relocated to the Public Safety Building in August 2016; and

WHEREAS, 2014-2015 Public Safety Answering Points Grant expires on December 31, 2015; and

WHEREAS, it is undesirable to build and store the new Dispatch Consoles; and

WHEREAS, expending these grant funds for the purchase of the CAD software is an acceptable use of the grant funds, allowing the Dispatch Furniture to be purchased with project account funds at the appropriate time; now, therefore, be it

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

**H1936 CAD/MDT/RMS**

(Revenues)

Amount	Object#	Project ID	Object Name
\$169,703 to	.43305	PSP14	NYS Grants

(Appropriations)

Amount	Object#	Project ID	Object Name	
\$169,703 to	.54400	PSP14	Contracted Services	(CAD Software portion)

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

**RESOLUTION NO. 498-15: AUTHORIZE TECHNICAL DECONTAMINATION AND HAZARD ASSESSMENT TEAM APPOINTMENTS**

Mr. LeRoy presented the following:

WHEREAS, the Technical Decontamination and Assessment Team was established pursuant to Resolution No. 490-06; and

WHEREAS, at this time it is necessary to remove and add members to the Team; now, therefore, be it

RESOLVED, upon recommendation of the Wayne County Fire Coordinator and the Director of Emergency Management, the following appointment is hereby terminated:

Mitchell Checho, Rose Fire Department

and be it further

RESOLVED, that the following individuals are hereby appointed to the Technical Decontamination and Assessment Team:

Seth Hysack, North Rose Fire Department  
Sean Guthrie, North Rose Fire Department  
Jacob Fox, North Rose Fire Department  
Jack Fitzpatrick, North Rose Fire Department  
William Bellingham, Ontario Fire Department/Deputy Fire Coordinator

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

**RESOLUTION NO. 499-15: AUTHORIZATION TO DISPOSE OF SURPLUS CATEPILLAR DOZER IN THE HIGHWAY DEPARTMENT**

Mr. Miller presented the following:

WHEREAS, the Highway Department just took delivery of a new tracked dozer to replace the 1988 CAT D4H tracked dozer, and

WHEREAS, the 1988 CAT D4H, Serial Number 8PB02423, has been declared surplus by the Superintendent of Public Works, now, therefore be it

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

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

**RESOLUTION NO. 500-15: MAKING A DETERMINATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR THE HIGHWAY ADDITION PROJECT**

Mr. Miller presented the following:

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQRA Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State, being 6 NYCRR Part 617, as amended (the "Regulations"), the Wayne County Board of Supervisors (the "Board") desires to determine whether the following action may have a "significant effect on the environment" (as said quoted term is defined in the SEQRA Act and the Regulations) and therefore require the preparation of an environmental impact statement: The construction of a 3780 S.F. addition to the Highway Garage and the construction of a 480 S.F. addition to the office area at 7227 Route 31, the Wayne County Highway facilities (the "Project"); and

WHEREAS, to aid the Board in determining whether the Project may have a significant effect on the environment, the Superintendent of Public Works has caused to be prepared a SEQR Short Environmental Assessment Form a copy of which is on file with the Clerk of the Board of Supervisors; and

WHEREAS, the County has examined the Short EAF in order to make a determination as to the potential environmental significance of the Project; now, therefore, be it

RESOLVED, as follows:

1. Based upon examination of the Short EAF, and based further upon the Board's knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the County has deemed appropriate, the Board makes the following findings with respect to the Project:
  - (a) the Project consists of those components described in the second "Whereas" clause of this resolution; and
  - (b) there are no known potentially significant impacts on the environment other than those noted in and addressed and/or mitigated by the County as set forth in the SEAF.
2. Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental

impact therein indicated, the Board makes the following findings and determinations with respect to the Project:

- (a) The Project constitutes an Unlisted Action (as defined in the Regulations); and
3. The Project will not result in any large and important impacts and, therefore, is one which will not have a significant effect on the environment, and the Board will not require an environmental impact statement with respect to the Project; and
4. This determination constitutes a negative declaration for the purposes of the SEQR Act.

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

**RESOLUTION NO. 501-15: AUTHORIZATION TO RENEW TERM CONTRACTS FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR VARIOUS COUNTY PROJECTS FOR FUTURE NEEDED SERVICES**

Mr. Miller presented the following:

WHEREAS, Resolution No. 595-11 authorized the award of Term Agreements for General Architectural, Engineering, Consulting and Testing Services for the County future needs of these services meeting a predetermined criteria and fiscal threshold; and

WHEREAS, SWBR Architects, Lu Engineers, Labela Associates and Hunt Engineers were awarded said Term Agreements; and

WHEREAS, the original Term Agreement had the option to renew for two additional one-year periods, and

WHEREAS, these original agreements were extended in October 2014 for one additional year and are set to expire on October 31, 2015; and

WHEREAS, the Superintendent of Public Works recommends we extend these agreements for one additional year; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to renew the current contracts with SWBR Architects, Lu Engineers, Labela Associates and Hunt Engineers, subject to the County Attorney's review, for provision of On-Demand General Architectural, Engineering, Consulting and Testing Services for one additional year starting November 1<sup>st</sup> 2015 and terminating on October 31<sup>st</sup>, 2016.

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

**RESOLUTION NO. 502-15: AUTHORIZATION TO TRANSFER FUNDS WITHIN THE HIGHWAY DEPARTMENT TO SUPPLEMENT ROADWAY PROJECTS**

Mr. Miller presented the following:

WHEREAS, there is a project being progressed by the Highway department that will require additional funds, and one project that will be deferred until 2016; and

WHEREAS, the Superintendent of Public Works proposes to move funds within the projects listed below; now, therefore, be it

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

D51112 -Road Construction

\$50,000 from D51122.52692 Johnson Road Drainage

\$50,000 to D51122.52691 Culvert Replacement Project

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

**RESOLUTION NO. 503-15: ADOPTION OF LOCAL LAW NO. 6-2015, REPEALING LOCAL LAW NO. NO. 7-2014, ENTITLED "ESTABLISHING RULES AND REGULATIONS FOR COUNTY PARKS" AND ENACTING THE WAYNE COUNTY PARKS LAW**

Mr. Miller presented the following:

WHEREAS, a Local Law repealing Local Law No. No. 7-2014, entitled "Establishing rules

and regulations for County Parks" and enacting the Wayne County Parks Law, was presented to the Board of Supervisors on Tuesday, July 21, 2015; and

WHEREAS, a public hearing on the proposed local law was held on Tuesday, September 15, 2015 at 7:05 p.m. in the Supervisor's Chambers in the County Court House, 26 Church Street, Lyons, New York, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

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

**COUNTY OF WAYNE — STATE OF NEW YORK  
LOCAL LAW NO. 6 FOR THE YEAR 2015**

A Local Law repealing Local Law No. No. 7-2014, entitled "Establishing rules and regulations for County Parks" and enacting the Wayne County Parks Law.

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

**SECTION 1. TITLE**

This local law shall be known as the Wayne County Parks Law.

**SECTION 2. TEXT**

**WAYNE COUNTY PARKS LAW**

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**Section 1. Legislative Intent**

The provisions set forth herein shall apply to and be in effect in all parks under the control, supervision and jurisdiction of the County of Wayne.

**Section 2. Definitions**

The following terms shall have the meanings indicated in this section:

- A. "County" shall mean the County of Wayne.
- B. "Board of Supervisors" shall mean the Board of Supervisors of the County of Wayne.
- C. "Committee" shall mean the Public Works Committee of the Wayne County Board of Supervisors.
- D. "Superintendent of Public Works" or "Superintendent" shall mean the Wayne County Superintendent of Public Works or his or her duly authorized agent or representative.
- E. "Law Enforcement Officer" shall mean any police officer, peace officer, Wayne County Sheriff's Deputy, New York State Trooper, or any other law enforcement official of the County of Wayne, the State of New York, or any other applicable jurisdiction having jurisdiction or authority to enforce this law.
- F. "Park" shall mean the grounds, buildings thereon, waters therein, boat launches, towpaths or trails, the Maxwell Creek parking lot and any other property necessary for the operation thereof, and constituting a part thereof, which is now or may hereafter be maintained, operated and controlled by the County of Wayne for public parking purposes.
- G. "Person" shall mean any individual, firm partnership, corporation or association of persons and the singular number shall include the plural.
- H. "Authorized Personnel" shall mean any person, department, or agency given the right to function by the Wayne County Board of Supervisors.

**Section 3. Hours of Closing**

Except as authorized by a permit granted by the Superintendent of Public Works pursuant to the provisions of

Section 30 of this law:

- A. No person shall remain, stop or park within the confines of any park, between the hours of dusk to dawn, prevailing local time in the County of Wayne except:
  - 1) in an emergency
  - 2) with a special permit of the Superintendent
- B. In case of an emergency or when in the judgment of the Superintendent the public interest demands it, any portion of a park may be closed to the public or the designated persons until permission is given to reopen.

Non-observance of Section 3 shall constitute a violation.

**Section 4. Reservations**

- A. Permits shall be required for the use of all park pavilions.
- B. Permits for use of park pavilions shall be issued on a first come, first served basis, at the Wayne County Department of Public Works office, 7312 Route 31, Lyons, New York, Monday through Friday from 7:00 a.m. to 3:30 p.m., except on legal holidays.
- C. Applicants for permits or reservations must be 21 years of age or over, and be a resident of Wayne County. All permits must be signed by the applicant prior to use of the pavilions. The signer of the permit shall be responsible for all damage to the park pavilion and agrees, as a condition for the granting of the permit, to indemnify the County of Wayne for all such damages.
- D. As a condition for granting a permit, the Superintendent of Public Works may require proof of insurance or a security deposit, in accordance with rules

and regulations promulgated pursuant to Section Thirty-One herein. Non-observance of the rules in Section 4 shall constitute grounds for denial or cancellation of any permit applied for or issued pursuant to this Section, and denial of applications for future permits, as set forth in Section Thirty-Two herein.

**Section 5. Camping**

- A. **CAMPING IS NOT ALLOWED**
  - B. Special Camping Permits can be issued by the Superintendent of Public Works for camping in County Parks for special groups/organizations. (i.e. Boy Scouts and Girl Scouts Troops).
  - C. When camping locations are made available within a park; rules and regulations particular to each location shall be promulgated pursuant to Section 31 herein.
  - D. Permits for camping shall be issued by the Superintendent of Public Works or his designee. All requests must be in writing.
- Non-observance of Section 5 shall constitute a violation.

**Section 6. Disorderly Conduct**

No person with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, shall:

- A. engage in fighting or violent, tumultuous or threatening behavior while in a park;
- B. make unreasonable noise in a park;
- C. use abusive or obscene language or make an obscene gesture while in a park;
- D. without lawful authority, disturb any lawful assembly or meeting of persons in a park;
- E. obstruct vehicles or pedestrian traffic in a park;
- F. congregate with other persons in a public place and refuse to comply with a lawful order of a law enforcement officer to disperse or leave the park;
- G. create a hazardous or physically offensive condition by any act which serves no legitimate purpose.

Non-observance of Section 6 shall constitute a violation.

**Section 7. Harassment**

- A. No person shall strike, shove, kick or otherwise subject another person to physical contact, or attempt to do the same, with the intent to harass, annoy, or alarm such other person.
- B. No person shall follow a person about a park with the intent to harass, annoy, or alarm such other person.
- C. No person shall engage in a course of conduct or repeatedly commit acts which alarm or seriously annoy such other person and which serve no legitimate purpose.
- D. No person shall threaten or menace any other person with any instrument or by using any animal to do the same, with the intent to harass, annoy, or alarm such other person.

Non-observance of Section 7 shall constitute a violation.

**Section 8. Weapons and Explosives**

Except as authorized by a permit granted by the Superintendent of Public Works pursuant to the provisions of Section 30 of this law:

- A. No person, except law enforcement officers, shall use, carry, or possess any firearm within the park, nor shall any person, except law enforcement officers, discharge any firearm within the park. This section shall not be applied in such manner as to preclude transitory possession of an unloaded firearm transported across or through county park property exclusively to gain access to and egress from a watercraft for the purpose of hunting, nor shall this section be applied in such manner as to preclude

possession of an unloaded firearm which is otherwise secured in a locked compartment or other container within a motor vehicle which is located on park property.

- B. No person, except law enforcement officers, shall use, carry or possess any noxious materials (noxious materials for the purposes of this section shall be defined as irritant gas dispensers, commonly called "Tear gas" or "Mace") within a park.
- C. No person shall use, carry, or possess air or gas guns, slingshots, bow and arrows, missiles or missile throwing devices unless such person is a participant in a program for which a permit has been obtained subject to Section Thirty below.
- D. No persons, except duly authorized personnel, shall use, carry or possess any fireworks or explosive substances within the parks.
- E. No person shall possess any other dangerous weapons within the park.

Non-observance of Section 8 shall constitute a violation.

#### **Section 9. Loitering**

No person shall loiter in or near toilets or rest room facilities within a park.

Non-observance of Section 9 shall constitute a violation.

#### **Section 10. Commercial Activities, Signs, Advertisement, Banners**

Except as authorized by a permit granted by the Superintendent of Public Works pursuant to the provisions of Section 30 of this law:

- A. No person shall solicit or engage in any business, trade, commercial transaction, or other activity within a park involving the sale of merchandise or services, or for which any fee, payment, donation or other consideration is required or requested, except pursuant to a duly authorized concession agreement or other agreement for park purposes which shall have been subject to the prior approval or authorization of the Board of Supervisors.
- B. No person shall post any political sign, political banner, or commercial advertisement of any kind within a park without prior approval of the Superintendent of Public Works.

Non-observation of Section 10 shall constitute a violation.

#### **Section 11. Games Regulated**

- A. No person shall engage in games involving thrown or propelled objects, such as footballs, baseballs, horseshoes, golf balls, Frisbees, or similar objects, except in areas designated for such usage, and then only subject to such rules and regulations as may be promulgated pursuant to Section 31 herein. All games of any description must be conducted in a safe and orderly manner and no rough or boisterous practices will be allowed. No one shall play games for which a permit or fee is required without first obtaining such permit and paying such fee.
- B. Notwithstanding the provisions of subdivision A, the use of lawn darts in the park is absolutely prohibited.
- C. No person shall ride on or use skateboards, roller skates, or ice skates within a park.
- D. Inflatable amusement equipment ("Bounce House"), "dunk tanks", etc. are not allowed.

Non-observance of Section 11 shall constitute a violation.

#### **Section 12. Sophisticated Toys**

Models, such as miniature planes, boats and cars, that produce loud noises or are hazardous, and flying drones shall not be operated within the confines of a park except pursuant to a permit issued by the Superintendent of Public Works.

Non-observance of Section 12 shall constitute a violation.

**Section 13. Hunting, Fishing and Molesting Wildlife**

- A. No person shall take or attempt to take any fish from or send or throw any animal or thing into a pond or any of the waters of a park, except with permission of the Superintendent of Public Works, and with the exception that fishing may be permitted in season, in certain park waters designated by the Superintendent of Public Works. No person shall kill, injure, or unnecessarily disturb any fish, waterfowl, birds or animals. No person shall hunt, pursue with dogs, trap, or in any other way molest any wild bird or animal found within the confines of a park, or rob or molest any bird's nest or take the eggs of any bird.
- B. Notwithstanding the provisions of subdivision A, the Superintendent of Public Works is hereby authorized to grant limited permits for the trapping of wild animals in County parks if the Superintendent, after consulting the appropriate officials of the State Department of Environmental Conservation, certifies to the Board of Supervisors that the health, safety and welfare of residents of the County of Wayne are or may be adversely affected unless limited trapping of wild animals is permitted in one or more parks. The number and duration of such permits shall be only such as is necessary, in the opinion of the Superintendent of Public Works, to correct any circumstances that have caused or contributed to a threat to the public health, safety and welfare. The Board of Supervisors shall promulgate rules and regulations governing the issuance, supervision and termination of such permits. All permits issued pursuant to this subdivision shall be in accordance with the rules and regulations promulgated by the Board of Supervisors, and shall be consistent with all applicable provisions of the New York State Environmental Conservation Law and the regulations pertinent thereof.

Non-observance of Section 13 shall constitute a violation.

**Section 14. Preservation of Property and Natural Features**

- A. No person shall injure, damage, destroy, deface, disturb, remove or defoul any part of a park, nor any building, structure, sign, equipment or other property therein.
- B. No person shall write, paint, mark, carve or otherwise deface any part of a park, including but not limited to any tree, bench, building, structure, sign, equipment or other property therein.
- C. No person shall remove, injure or destroy any tree, flower, shrub, rock, mineral or other natural feature within a park.

Non-observance of Section 14 shall constitute a violation.

**Section 15. Littering, Rubbish, Garbage, Sewage and Noxious Materials**

- A. No person shall bring into, drop, deposit, dump or leave behind any rubbish, garbage, ashes, paper, cardboard, metal cans or other metallic substances, bottles, glassware, or any other refuse, waste material or other unwanted material of any kind in a park; except that any such materials resulting from picnics, camping, or other permitted activities shall be deposited in receptacles, pits or other containers provided for such purpose.
- B. No person shall abandon any motor vehicle, or other equipment or property of any kind in a park.
- C. No person in a park shall discharge into, throw, cast, lay, drop or leave any substance, matter or thing, either liquid or solid in any river, brook, stream, pond, storm sewer or drain in a park.

Non-observance of Section 15 shall constitute a violation.

**Section 16. Alcohol Beverages are Restricted at All County Owned Parks**

No person shall consume, or possess with intent to consume, any alcoholic beverage, as defined by Section 3 of the Alcoholic Beverage Control Law of the State of New York, in a park, without first obtaining a permit granted by the

Superintendent of Public Works pursuant to the provisions of Section 30 of this law. Any permit to be issued by the Superintendent of Public Works for consumption and possession of alcoholic beverages at or for a public function or event (i.e. a function or event open to members of the general public and not restricted by membership) shall require proof of insurance Event Coverage naming/endorsing the County of Wayne on the Certificate of insurance as an Additional Insured, and the use of facilities permit shall further require indemnification of the County of Wayne by the organizers of the function or event. Non-observance of Section 16 shall constitute a violation.

**Section 17. Animals**

Except as authorized by a permit granted by the Superintendent of Public Works pursuant to the provisions of Section 30 of this law:

- A. No person shall bring into, permit, have, or keep any animal in a park, except that dogs and cats are permitted if held in control by a leash not more than eight (8) feet long.
- B. Notwithstanding the above, cats and dogs are prohibited in all swimming areas, beaches and grass areas.
- C. Animals required for assistance of the handicapped are exempt from the provisions of subdivision B of this Section.
- D. No animal shall be left unattended in a park.
- E. Any individual bringing dogs or cats into a park shall be required to pick up and deposit in proper receptacles all solid waste from said animals.

Non-observance of Section 17 shall constitute a violation.

**Section 18. Swimming, Swimming Areas and Beaches**

- A. No person shall bathe, wade or swim within any park except at beaches therein as may be designated for that purpose by the Superintendent of Public Works and suitable swimming attire shall be required.
- B. No person shall carry onto, possess, scatter or throw on any beach a bottle, can or container of any kind, or broken glass, container caps, or other closure devices.
- C. The use of life rafts, inner tubes, and other objects intended to support persons is prohibited.
- D. No person shall operate a boat, surfboard, water skis, or similar aquatic equipment closer than 100 feet to a swimming area.
- E. No person shall permit a diapered infant to wade, bathe, or swim in park waters. Except as provided in Section 17, animals are prohibited in all swimming areas and beaches.

Non-observance of Section 18 shall constitute a violation.

**Section 19. Boating**

- A. Boating in or adjacent to a park is permitted only in areas designated for such use, and then only in strict compliance with all applicable federal, state, and municipal laws and ordinances and subsection D of Section 18 of this law. No person shall operate, row or paddle a boat or canoe in or upon park waters unless able to handle the same with safety to himself and other occupants thereof, and in such manner as not to annoy or endanger the occupants of other boats or canoes. No person shall stand up in or rock a rowboat or canoe, make a raft of boats or canoes.
- B. No person except those in the employ of the County of Wayne acting within the scope of their duties shall, without written permission from the Superintendent of Public Works, place or propel upon the waters in any park any float, boat, or other water craft, or land from any boat at a place not designated by the Superintendent for that purpose.
- C. Docking a boat overnight is not permitted. Boat trailers shall not be left

overnight.

Non-observance of Section 19 shall constitute a violation.

**Section 20. Fires, Picnic, Cooking**

- A. No person shall start or use a fire on park property except in designated areas and facilities. No fire shall be left unattended.
- B. No person shall picnic or cook in any area not designated by the Superintendent for that purpose.

Non-observance of Section 20 shall constitute a violation.

**Section 21. Bicycles**

Riders of bicycles shall comply with all laws relating to bicycles in the New York State Vehicle and Traffic Law, and with all rules concerning vehicles contained in the Wayne County Parks Law and in addition thereto shall be subject to the following rules:

- A. No person shall ride a bicycle upon the lawns or foot trails of a park where posted that such use is prohibited.
- B. Bicycles shall be ridden in the extreme right hand lane of park roads.
- C. A bicycle shall not be towed by a rope or otherwise, nor shall any rider hold onto any moving vehicle for the purpose of being drawn along.
- D. No bicycle shall be pushed upon any park road where an adjoining foot walk is available.
- E. Infants, children or extra passengers shall not be carried on bicycles in any manner whatsoever, unless such vehicle is equipped with a separate seat for that purpose.
- F. Children under the age of 12 years, riding small bicycles (wheels less than 20 inches in diameter) may use the foot walks.
- G. Wherever possible bicycles shall be parked in places provided for such purpose.

Non-observance of Section 21 shall constitute a violation.

**Section 22. Snowmobiles, Off-Road Vehicles, All Terrain Vehicles and Limited Use Vehicles**

- A. No person shall operate a snowmobile within a park other than on a path or trail specifically designated as one allowing use of snowmobiles. A snowmobile shall be defined as any self-propelled vehicle designed for travel on snow or ice, steered by skis or runners and supported in whole or part by one or more skis, belts or cleats.
- B. No person shall operate any motor powered off-road vehicle, all-terrain vehicle, or limited use vehicle in any part of a park, except that off-road vehicles or limited use vehicles properly registered in accordance with the New York State Vehicle and Traffic Law, may be operated on park roads and parked in park parking lots in accordance with the provisions of Section Twenty-Five. Off-road vehicles, all-terrain vehicles or limited use vehicles shall include, but are not limited to, four-wheel drive vehicles; vehicles equipped for operation in or on sand, mud, snow, gravel, or wetland; dune buggies; motorcycles or mini-bikes equipped for off-road usage; dirt bikes, golf carts, tractors, lawnmowers, or any similar type of vehicle or conveyance, except for vehicles used for park maintenance by authorized personnel.

Non-observance of Section 22 shall constitute a violation.

**Section 23. Indecent Conduct and Exposure**

- A. No person shall intentionally expose the private or intimate parts of his or her body in a lewd manner or commit any other lewd act.
- B. No person shall appear in a park in such manner that the private or intimate parts of his or her body are unclothed or exposed. This Section shall not apply to the breast feeding of infants.

Non-observance of Section 23 shall constitute a violation.

**Section 24. Compliance with Orders of Policing Agencies**

No person shall fail or refuse to comply with any order relating to the regulation of activities hereunder, or the enforcement of provisions of this law, lawfully given by any law enforcement officer.

Non-observance of Section 24 shall constitute a violation.

**Section 25. Use of Motor Vehicles**

- A. No person shall drive any automobile, motorcycle or other motorized vehicle upon any part of a park except for the proper drives and parking areas, or permit the same to stand upon the drive or any part thereof so as to congest traffic or obstruct the drive. Paths established as foot paths, or bicycle paths shall not be used for motorized vehicular traffic.
- B. No person shall cause any taxi, bus, limousine or other vehicle for hire to attend any part of a park for the purpose of soliciting or taking passengers or persons other than those carried to a park by said vehicle.
- C. No person shall cause any bus with or without passengers, nor any cart, wagon, truck or trailer or other vehicle carrying goods, merchandise, manure, soil or other articles, or solely in use for the carriage of goods, merchandise, manure or other articles to enter or to be driven in any part of a park. This Section shall not apply to vehicles engaged in construction, maintenance, or operation of a park or parkway, to vehicles making deliveries to a park, or to buses under the permit of the County of Wayne.
- D. It shall be the duty of every person operating an automobile, motorcycle, or other motorized vehicle within a park to comply with. (1) the New York State Vehicle and Traffic Law; (2) the applicable traffic ordinances of the County of Wayne and the towns and villages in Wayne County; and (3) all orders, directions and regulations issued by law enforcement officers or officially displayed on any post, standard, sign or device installed for the regulation of traffic.
- E. No vehicle shall be operated on any road or drive in a park at a speed exceeding five (5) miles per hour, unless otherwise posted. The Superintendent shall cause signs to be erected along such roads or drives indicating such speed limits.
- F. No vehicle shall pass another vehicle preceding the same direction if the center of the road is marked with a double solid line.
- G. One-way traffic. In certain areas there may be one-way traffic. It will be so posted and must be followed.
- H. Where the Superintendent of Public Works has caused certain intersections of park drives or roadways to be marked with stop signs, no person shall operate any vehicle except authorized emergency vehicles over or across such intersection without first bringing such vehicle to a complete stop at or near the stop sign.
- I. Parking of any vehicle shall not be allowed on any of the park roads or parking areas during the hours that the park is not open to the public. No person shall park, stop or leave standing any vehicle in any area within a park except during the time he or she remains in the park.
- J. The term "parking" as used herein shall be defined as the standing of any vehicle, whether occupied or not, unless standing in obedience to traffic regulations or signals or while actively engaged in loading or unloading.
- K. The County of Wayne shall erect suitable signs on roadways and in parking areas which signs shall indicate where parking is authorized or not authorized.
- L. No person shall operate a vehicle along or over any road, drive or other property within a park in a reckless manner or without due regard for the safety and the rights of pedestrians, drivers and occupants of all other

vehicles, so as to endanger the life, limb or property of any person while in the lawful use of park facilities.

- M. No person who is under the influence of alcohol or a controlled substance, as defined in the New York State Penal Law shall operate any vehicle within a park.
- N. No person shall drive, move, cause, or knowingly permit to be driven or moved within a park, any vehicle or combination of vehicles which is in unsafe condition so as to endanger any person or property.
- O. No person shall use or shine spotlights or unnecessarily or continuously shine automobile headlights on or into park lands, except under direction of a law enforcement officer or where necessary for the preservation of life or property.

In addition to and not in derogation of the penalties prescribed by applicable statute, rule, regulation or ordinance, non-observance of any subdivision of Section 25 shall constitute a violation.

**Section 26. Parental Responsibility**

No parent, guardian or custodian of any minor shall permit or allow him or her to do any act which would constitute a violation of this law, and such persons shall be jointly and strictly liable for the actions of said minors in their care.

Non-observance of Section 26 shall constitute a violation.

**Section 27. Air Gliding**

Except as authorized by a permit granted by the Superintendent of Public Works pursuant to the provisions of Section 30 of this law:

Park property shall not be utilized for ascending or landing of any aircraft, nor shall park property be used for parachuting, hang gliding, hot air ballooning, or similar activities.

Non-observance of Section 27 shall constitute a violation.

**Section 28. Fees**

The Board of Supervisors, by resolution, from time to time as it deems appropriate, may establish fees to be charged for utilization of park facilities.

**Section 29. Park Season**

The Superintendent of Public Works is hereby empowered and directed to open and close the parks in the spring and fall of each year. The Superintendent may, in his discretion, direct the closure of any park or any portion thereof if such action is for the purpose of protecting park properties from damage, or in the interest of protecting the health, safety, and welfare of persons utilizing park properties.

**Section 30. Permits**

- A. The Superintendent of Public Works is authorized and empowered to grant and issue permits for the activities described in Sections 3, 4, 5, 8, 10, 12, 13, 16, 17 and 27 of this law.
- B. (1) Subject to the provisions of subdivision A, above, the Superintendent of Public Works is authorized and empowered to grant and issue permits authorized or required by rules and regulations promulgated pursuant to Section 31 of this law and such permits or written permission as may be necessary to effectuate or implement the provisions of this law.
  - (2) Permits for the use or occupancy for park purposes of park property or facilities, not authorized by subparagraph A, above, and which may involve an extended term or an indefinite term subject to termination, shall be issued by the Superintendent only upon the prior approval and authorization of the Board of Supervisors.
  - (3) As a condition for granting a permit, the Superintendent may require proof of insurance or a security deposit, in accordance with the rules and regulations promulgated pursuant to Section 31 herein.
    - A. All permits issued by the Superintendent shall be in writing, and shall be signed or authenticated by the Superintendent, or his or her duly

authorized agent. All such permits and use of park facilities pursuant thereto shall be subject to the terms and conditions contained therein, and to all applicable provisions of this law; all applicable rules and regulations promulgated pursuant to this law; and all other applicable laws of the United States of America, the State of New York, the County of Wayne, and any other municipality having jurisdiction.

- C. Any violation of the terms and conditions of a permit issued hereunder, of this law or any rules and regulations promulgated pursuant thereto, or any other applicable laws, shall constitute ground for the immediate revocation of such permit by the Superintendent of Public Works, or his or her authorized representative, which revocation shall be immediate, final and without appeal. No permit for the same purpose shall be issued to any person or persons whose permit has been revoked hereunder for a period of one year following the date of such revocation.

**Section 31. Rules and Regulations**

- A. The Superintendent of Public Works is authorized and empowered to promulgate rules and regulations concerning the activities described in this law; such further rules and regulations as may be necessary to effectuate or implement the provisions of this law; and such additional rules and regulations as may be authorized or directed by the Board of Supervisors.
- B. All rules and regulations promulgated hereunder by the Superintendent of Public Works shall become effective only upon approval by the Board of Supervisors.
- C. Reasonable efforts shall be made by the Superintendent of Public Works to reproduce, post, make available, distribute, and publicize all rules and regulations hereunder.
- D. Copies of this local law shall be made available at the Public Works Department, 7312 Route 31, Lyons, NY or online at [www.co.wayne.ny.us/departments/bldggnds.htm](http://www.co.wayne.ny.us/departments/bldggnds.htm) (select the Parks Law pdf).

**Section 32. Penalties**

Any person convicted of a violation of this local law shall be subject to a fine not to exceed \$100, or by imprisonment for a term not to exceed fifteen (15) days, or by both such fine and imprisonment, and in addition shall forfeit the right to apply for future permits for a period of one (1) year.

**Section 33. Severability**

If any provision of this law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation to the particular provision directly involved in the controversy.

**SECTION 3. CONFLICT OF LAW**

Local Law No. 2 of 1981, Local Law No. 14 of 1987, Local Law No. 3 of 1989, Local Law No. 7 of 2014, and all resolutions establishing rules and regulations for Wayne County parks adopted by the Wayne County Board of Supervisors prior to the date of the adoption of this local law are repealed.

**SECTION 4. EFFECTIVE DATE**

This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York.

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

**RESOLUTION NO. 504-15: ADOPTION OF 2016-2020 CAPITAL PLAN FOR WAYNE COUNTY**

Mr. Miller presented the following:

WHEREAS, the County Administrator submitted the proposed 2016-2020 Capital Plan to the Board of Supervisors on June 10, 2015; and

WHEREAS, the Capital Plan Review was conducted on July 27, 2015 with the Public Works Committee, Economic Development and Planning Committee, and Finance Committee; and

WHEREAS, changes were made to the proposed plan; and

WHEREAS, the revised plan is on file with the Clerk of the Board of Supervisors; and

WHEREAS, a Public Hearing on the 2016-2020 Capital Plan was conducted on September 15, 2015; 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 revised Capital Plan that has been filed with the Clerk of the Board for 2016-2020.

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

**RESOLUTION NO. 505-15: AUTHORIZE DESIGNATION OF TOURISM PROMOTION AGENT**

Mr. Spickerman presented the following:

WHEREAS, county authorized Tourist Promotion Agency (TPA) is required to make applications and receive funds for most New York State tourism grant programs; now, therefore, be it

RESOLVED, that the Wayne County Office of Tourism and Promotion is hereby designated as the 2016 TPA for the purpose specified in the New York State Promotion Act; and be it further

RESOLVED, that the Director of Wayne County Office of Tourism and Promotion, Christine Worth, is hereby designated as Project Director for Wayne County for 2016.

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

**RESOLUTION NO. 506-15: RETAIN A CONSULTANT TO PERFORM THE WAYNE COUNTY OPPORTUNITY ANALYSIS AND MARKETING STRATEGY AND AMEND BUDGET**

Mr. Spickerman presented the following:

WHEREAS, on March 17, 2015 the Wayne County Board of Supervisors adopted Resolution 209-15, "Authorization to Issue RFQ to Conduct an Opportunity Analysis and Marketing Strategy", and;

WHEREAS, the intent of this project is to identify and promote the assets of Wayne County that make it an attractive place to live, operate a business, enjoy its recreational advantages and more, and;

WHEREAS, this study will provide background data and planning tools necessary to chart a course to attract more industry and business, tourists, residents and others to Wayne County, and;

WHEREAS, the study will perform the following work tasks, including, but not limited to: a SWOT (Strengths, Weaknesses, Opportunities and Threats), industry and economic analysis, tourism data, development of a brand or identity theme, a Marketing Strategy and Action Plan, a public relations plan and a social media plan, and;

WHEREAS, the Steering Committee distributed the RFQ to numerous consultants, interviewed three finalists and recommended that the Board of Supervisors retain Investment Consulting Associates of Newton, Mass. as the firm to conduct the study, now therefore be it

RESOLVED, that the Wayne County Board of Supervisors concurs with the Steering

Committee's recommendation that Investment Consulting Associates be retained to perform the Wayne County Opportunity Analysis and Marketing Strategy at a cost not to exceed \$155,960, and that James D. Hoffman, Chairman of the Board of Supervisors, is authorized to execute a contract in that amount, subject to the review and approval by the County Attorney as to form and content; and be it further.

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

**A1990 Contingent Fund General**

\$125,960 from .54000 Contractual Services

**A6326 Economic Development Admin**

\$ 30,000 from 54891 Other Direct Expenses

**A8020 Planning Board**

\$155,960 to .54000 Contractual Services

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

**RESOLUTION NO. 507-15: AUTHORIZATION TO SUBMIT EPA TARGETED BROWNFIELD ASSESSMENT APPLICATION**

Mr. Spickerman presented the following:

WHEREAS, the Ad Hoc Property Committee of the Board of Supervisors has been working to find ways to return tax delinquent parcels that are severely deteriorated and environmentally challenged to productive, tax paying status; and

WHEREAS, in order to avoid the tax guarantee liability on these properties and in order to avoid the costs of dealing with the deteriorated/environmentally challenged and tax delinquent properties, the County transfers these type of properties to Roll Section 8 and does not foreclose on them; and

WHEREAS, the act of placing tax delinquent property on Roll Section 8 eliminates the accumulated property taxes, exempts the properties from further incurring property tax liabilities and any environmental or structural liabilities remain with the owner of record and not with County government; and

WHEREAS, if the County were to foreclose on these properties, it would be placed in the "chain of title" and therefore be exposed to significant costs to remove/correct deteriorated structures, as well as be responsible for costly environmental clean-ups; and

WHEREAS, this problem is one which can only be solved by a comprehensive multi-jurisdictional effort of the County, Towns, Villages and School Districts working together to restore such properties to tax paying, productive status; and

WHEREAS, phase 1 studies are the first step in determining the extent of the environmental liability and we have learned that EPA has established the Targeted Brownfield Assessment (TBA) Program to conduct such studies at no cost to the County and that they will be accepting applications in mid-September; and

WHEREAS, this program will be a tool to help determine the extent of the environmental liability and the cost to restore the parcel(s) to productive status, and further that it will allow the County to prioritize properties with the greatest economic development potential to meet future EPA clean-up objectives; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Economic Development and Planning Department to prepare and submit the Targeted Brownfield Assessment (TBA) applications and be it further resolved that the Chairman of the Board of Supervisors is authorized to sign such applications subsequent to approval by the County Attorney as to form and content.

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

**RESOLUTION NO. 508-15: AUTHORIZE COUNTY TREASURER TO DISBURSE SNOWMOBILE TRAILS FUNDING TO SNOWMOBILE CLUBS**

Mr. Spickerman presented the following:

WHEREAS, Wayne County is the Local Sponsor for the Snowmobile Trails Grant-In-Aid program; and

WHEREAS, Wayne County applied for 2014-2015 aid through the NYS Office of Parks, Recreation and Historic Preservation, and has been designated to receive up to a total of \$61,425.00 in allowable grant funds for the purpose of maintaining and developing approved snowmobile trails within the county; and

WHEREAS, the Snowmobile Clubs have provided sufficient documentation for \$61,425.00 for trail development and maintenance activities; and

WHEREAS, the Snowmobile Clubs previously received \$42,997.50 of the funding at the beginning of the snowmobile season, and

WHEREAS, New York State has audited and approved the documentation of expenditures by the Clubs; now, therefore, be it

RESOLVED that the Wayne County Treasurer is hereby authorized to distribute, upon its receipt, authorized expenditures totaling \$18,427.50 according to the following schedule:

Lakeshore Snow Devils	\$ 11,245.50
Webster Ridge Runners	\$ 2,929.50
Williamson Drift Riders	\$ 4,252.50

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

**RESOLUTION NO. 509-15: AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSAL TO PERFORM AN INVENTORY AND FEASIBILITY STUDY TO PROVIDE BROADBAND SERVICE IN WAYNE COUNTY**

Mr. Spickerman presented the following:

WHEREAS, broadband is unevenly distributed throughout Wayne County, with some areas currently having adequate service, some areas being un-served and others being under-served; and

WHEREAS, inadequate broadband service inhibits opportunities in the areas of business development, education, health care and other services; now, therefore, be it

RESOLVED, that the Wayne County Director of Planning and Economic Development is authorized to issue a Request for Proposal (RFP) to conduct a Broadband Assessment and develop a Feasibility Plan which, among other things, will: review past and current information on the status of broadband throughout the County, determine un-served and under-served areas, conduct a feasibility analysis and business plan that will deploy a system that will meet basic standards and the new state standards, identify public and private sources of funding available to implement such a system, describe system alternatives, and conduct other analysis that will provide the information needed to project the costs of such a system; and be it further

RESOLVED, that in response to this RFP, the consultants shall provide Wayne County with information on how they will respond to such a request and how much such a study will cost to complete; and be it further

RESOLVED, that the RFP will be reviewed and approved by the County Attorney, as to form and content, before it is distributed; and be it further

RESOLVED, that the Chairman of the Board of Supervisors will appoint an Ad-hoc Committee comprised of at least three members of the Board of Supervisors and County staff to review the responses to the RFP and to make a recommendation to the Economic Development and Planning Committee and Board of Supervisors.

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

**RESOLUTION NO. 510-15: AUTHORIZATION TO PARTICIPATE IN A COOPERATIVE BID COORDINATED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF**

**ONTARIO, SENECA, WAYNE AND YATES COUNTIES FOR VARIOUS COMMODITIES AND/OR SERVICES**

Mrs. Crane presented the following:

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

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

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

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

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

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

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

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

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

**RESOLUTION NO. 511-15: AUTHORIZATION TO EXECUTE AGREEMENT WITH IMS, INC. FOR THE PROVISION OF PRESORT MAIL SERVICES FOR WAYNE COUNTY**

Mrs. Crane presented the following:

WHEREAS, Immediate Mail Services, Inc. (IMS, Inc.) has been working with the USPS since 1986, assisting clients in reducing postage costs for; and

WHEREAS, IMS, Inc. is in the business of providing presort first class mail services to clients by using the same presort technology that the United States Postal Services (USPS) utilizes to reduce postage costs; and

WHEREAS, IMS, Inc. will treat all first class mail as strictly confidential, will pick up the County's first class mail, sort it by zip code for postage discounts, and then deliver it to the Post Office that same day it is picked up; and

WHEREAS, since this pre-sort mail service is supported by lower rates from the USPS, this service comes at no cost to the County; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement with IMS, Inc. for calendar the 2016 calendar year, with the option to renew, for processing the County's presorted first class mail at the rates set forth therein, subject to the review and approval of said contract by the County Attorney; and be it further

RESOLVED, this agreement can be renewed annually for a five-year period through December 2020, upon written consent of both parties.

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

**RESOLUTION NO. 512-15: AUTHORIZATION FOR THE MENTAL HEALTH DEPARTMENT TO COLLABORATE WITH DEPT. OF SOCIAL SERVICES AND CREATE ONE FULL-TIME STAFF SOCIAL WORKER, AND AMEND THE 2015 BUDGET**

Mr. Groat presented the following:

WHEREAS, the Department of Social Services has been awarded a grant from the New York State Office of Children and Family Services to fund the co-location and a collaborative partnership between behavioral health and child protective services; and

WHEREAS, the funds are awarded through December 2016 to hire a behavioral health professional who can support the work of child protective services (CPS) staff, as it is often the case (50% of the time) that families and children involved with CPS often struggle with behavioral health issues (mental health and/or substance abuse), and the coordination between the behavioral health system and child welfare system can aid in the goal of preserving families and protecting children; and

WHEREAS, in order to form this partnership the Mental Health Department will need to create, recruit and hire for this specialized position, which will be fully funded by the Office of Children and Family Services to the Department of Social Services; and

WHEREAS, the Mental Health Department will in turn be reimbursed by the Department of Social Services for the costs associated with this position; therefore, be it

RESOLVED, that the Departments of Social Services and Mental Health are authorized to form this collaborative service in accordance with the awarded grant, and that one full-time Staff Social Worker is authorized to be created in the Mental Health Dept., to be paid for by Dept. of Social Services to the Mental Health Dept. with funding received from the Office of Children and Family Services, and the 2015 Budget is to be amended as follows:

<b><u>Account No. A4300 – Behavioral Health Dept.</u></b>	<b><u>Social Services Dept.</u></b>	
\$17,216 to 42770.M2410 Misc Revenue	\$17,216 to A60100.43610	DSS
Reimbursement Revenue		
\$11,600 to 51322.M2410 Staff Social Worker	\$17,216 to A60104.54500	DSS Expense
Payment to MH		
\$ 1,210 to 58100.M2410 Retirement		
\$ 900 to 58200.M2410 Social Security		
\$ 3,460 to 58400.M2410 Hospitalization		
\$ 35 to 58600.M2410 Disability		
\$ 11 to 58901.M2410 EAP		

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

**RESOLUTION NO. 513-15: AUTHORIZATION TO ESTABLISH CONTRACTUAL AGREEMENT BETWEEN THE FINGER LAKES PERFORMING PROVIDER SYSTEM (FLPPS) AND THE WAYNE COUNTY HEALTH & HUMAN SERVICES DEPARTMENTS IN ORDER TO IMPLEMENT THE DELIVERY SYSTEM REFORM INCENTIVE PAYMENT PROGRAM (DSRIP) PROJECTS**

Mr. Groat presented the following:

WHEREAS, the Finger Lakes Performing Provider System (FLPPS) is a collaboration to improve the availability, accessibility and quality of health services in the 13-county Finger Lakes region, including Wayne County, to promote better health, lower costs, and reduce health disparities through an integrated delivery system; and

WHEREAS, FLPPS has the opportunity through federal funding opportunities for DSRIP projects to pursue critical prioritized improvements for eligible populations to develop infrastructure that will improve the health of the Finger Lakes region populations; and

WHEREAS, FLPSS recognizes that successful implementation of a program which promotes a better coordinated and higher quality health delivery system is contingent upon a

high degree of cooperation and close coordination with key partners and desires to create a panel of health care providers, including the Wayne County health & human service departments (Behavioral Health, Public Health, Aging & Youth, and Nursing Home) who will participate in a variety of projects associated with initiative; and

WHEREAS, the county health & human service departments as members of this network of providers will be eligible for payment from their participation and performance in this initiative and view the County's participation in this partnership as essential; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors, pending approval of the County Attorney as to form and content, is authorized to sign a contractual agreement between the County of Wayne and its various health & human service departments & the FLPPS, effective October 1, 2015 through December 31, 2020.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Manktelow.

Mr. Groat moved, seconded by Ms. Park, to AMEND the title of the resolution, as follows:

**"RESOLUTION NO. 513-15: AUTHORIZATION TO ESTABLISH CONTRACTUAL AGREEMENT BETWEEN THE FINGER LAKES PERFORMING PROVIDER SYSTEM (FLPPS) AND WAYNE COUNTY IN ORDER TO IMPLEMENT THE DELIVERY SYSTEM REFORM INCENTIVE PAYMENT PROGRAM (DSRIP) PROJECTS"**

Motion carried.

Upon roll call, the AMENDED resolution was adopted.

**RESOLUTION NO. 514-15: AUTHORIZATION TO ESTABLISH CONTRACT AGREEMENT BETWEEN THE WAYNE COUNTY DEPARTMENT OF MENTAL HEALTH-WAYNE BEHAVIORAL HEALTH NETWORK (WBHN) AND THE CHILDREN'S HEALTH HOME OF UPSTATE NEW YORK, LLC (CHHUNY)**

Mr. Groat presented the following:

WHEREAS, the Children's Health Home of Upstate New York, LLC (CHHUNY) has been designated by the State of New York to operate and serve as a regional Health Home for children and as such, CHHUNY will contract with certain provider organizations to provide care management services to support the operation of the Health Home; and

WHEREAS, CHHUNY is a health home serving Wayne County that provides non-clinical consulting, management, and data analysis and coordination of services to support the efforts of behavioral health providers, consumers, and local governments to improve systems of care and service outcomes for children diagnosed with serious mental illness, addictions, and co-occurring medical disorders; and

WHEREAS, CHHUNY & WBHN wish to establish a formal relationship and contractual agreement in order for WBHN to provide reimbursable health, behavioral health and care management support services to persons covered by such plans and/or referred by the Health Home to WBHN; and

WHEREAS, the Health Home is required to have a contract with any provider who will bill and receive payments from Medicaid and Medicaid Managed Care insurances for Health Home services provided as a contractor for CHHUNY; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors, pending approval of the County Attorney as to form and content, is authorized to sign a contractual agreement between CCHHUNY & WBHN effective from January 1, 2016 through December 31, 2016.

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

**RESOLUTION NO. 515-15: AUTHORIZATION TO RENEW OR ESTABLISH CONTRACTS OF AFFILIATION BETWEEN WAYNE BEHAVIORAL HEALTH NETWORK AND LOCAL AREA COLLEGES & UNIVERSITIES FOR STUDENT FIELDWORK INTERNSHIP**

**EDUCATION**

Mr. Groat presented the following:

WHEREAS, many local colleges & universities (i.e. SUNY Brockport, St. John Fisher, Monroe Community College, Finger Lakes Community College, Roberts Wesleyan, University of Rochester, Syracuse University, etc) all have established educational programs in various health & human service related programs, and as such these educational institutions often desire to have certain students receive fieldwork educational experiences at Wayne Behavioral Health Network; and

WHEREAS, Wayne Behavioral Health Network (WBHN) is willing to accept said students for such purposes from the various colleges & universities given WBHN has a long-standing history as being a teaching facility; and

WHEREAS, this arrangement is mutually beneficial to all parties, however more particular to WBHN as providing this fieldwork educational program experience to students assists WBHN in meeting and addressing the increasing community needs for behavioral health treatment, it also contributes to the agency financially, it enriches the agency's staffing milieu, enhances the educational environment of our agency, and contributes to the development and growth of the Behavioral Health & Human Service Professions; now, therefore, be it

RESOLVED that the Chairman of the Wayne County Board of Supervisors, subject to County Attorney approval as to form and content, is authorized to renew and/or establish a contract between any local area college or university (as identified and determined appropriate by the Director of Mental Health) and Wayne Behavioral Health Network in order to provide students with fieldwork educational internships at WBHN for the academic periods during 2015 to December 31, 2016.

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

**RESOLUTION NO. 516-15: AUTHORIZATION TO SET SALARY FOR CERTAIN SPECIFIED LICENSED SPECIALTY TITLES WITHIN THE MANAGERIAL AND CONFIDENTIAL EMPLOYEES GROUP**

Mr. Groat presented the following:

WHEREAS, the Board of Supervisors adopted Resolution No. 057-15: "Modification to the Managerial Confidential Position Pay Grade Schedule B for Certain Specified Licensed Specialty Titles"; and

WHEREAS, Resolution 057-15 resolved that the titles of "Psychiatric Nurse Practitioner" and "Supervising Psychologist" be removed from the Salary Schedule-B in order that labor market factors could be addressed as they relate to frequent turnover in these titles, recruitment and retention; and

WHEREAS, the final remaining step associated with this process is to establish individual salary rates for the above noted titles in accordance as the labor market indicates, and as is currently done with certain other licensed specialist titles; now therefore, be it

RESOLVED, that the two titles currently in the Behavioral Health Department: "Psychiatric Nurse Practitioner" and "Supervising Psychologist", are hereby established at an annual base salary of \$90,000 each to begin September 24, 2015; and be it further

RESOLVED, that the following employees shall be moved to the following pay rates effective September 24, 2015:

J. Mark Reynolds, Supervising Psychologist, \$90,000

Kathleen Klein, Psychiatric Nurse Practitioner, \$90,000

Current Full-time Psychiatric Nurse Practitioner vacant position, to be filled by Donna Fladd, \$90,000.

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

**RESOLUTION NO. 517-15: AUTHORIZATION TO ESTABLISH CONTRACT AGREEMENT BETWEEN THE WAYNE COUNTY DEPARTMENT OF MENTAL HEALTH-WAYNE**

**BEHAVIORAL HEALTH NETWORK (WBHN) AND THE GREATER ROCHESTER HEALTH HOME NETWORK, LLC (GRHHN)**

Mr. Groat presented the following:

WHEREAS, the Greater Rochester Health Home Network, LLC (GRHHN) has been designated by the State of New York to operate and serve as a regional Health Home and as such, GRHHN will contract with certain provider organizations to provide care management services to support the operation of the Health Home; and

WHEREAS, GRHHN is a one of the regional health homes servicing Wayne County that provides non-clinical consulting, management, and data analysis and coordination of services to support the efforts of behavioral health providers, consumers, and local governments to improve systems of care and service outcomes for individuals diagnosed with serious mental illness, addictions, and co-occurring medical disorders; and

WHEREAS, GRHHN & WBHN wish to establish a formal relationship and contractual agreement in order for WBHN to provide reimbursable health, behavioral health and care management support services to persons covered by such plans and/or referred by the Health Home to WBHN;

WHEREAS, the Health Home is required to have a contract with any provider who will bill and receive payments from Medicaid and Medicaid Managed Care insurances for Health Home services provided as a contractor for GRHHN; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors, pending approval of the County Attorney as to form and content, is authorized to sign a contractual agreement between GRHHN & WBHN effective from October 1, 2015 through December 31, 2016.

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

**RESOLUTION NO. 518-15: ABOLISHING ASSISTANT ADMINISTRATOR/COMPLIANCE OFFICER POSITION, CREATING AND SETTING SALARY FOR POSITION OF COMPLIANCE OFFICER AT THE WAYNE COUNTY NURSING HOME AND AMENDING BUDGET**

Mr. Groat presented the following:

WHEREAS, the Managerial/Confidential position of Assistant Administrator/Compliance Officer at the Wayne County Nursing Home became vacant on March 15, 2015; and

WHEREAS, the Nursing Home management has determined that a re-structured position will meet the needs of the Nursing Home; and

WHEREAS, Human Resources/Civil Service has reviewed and adopted the classification of Nursing Home Compliance Officer; and

WHEREAS, the Director of Human Resources has determined that the classification should continue in the Managerial/Confidential Employees Group, and be placed in M/C pay grade 8; and

WHEREAS, it is recommended that the Board of Supervisors establish the position of Nursing Home Compliance Officer; 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 position of Assistant Administrator/Compliance Officer is hereby abolished effective September 16, 2015; and, be it further

RESOLVED, that the Managerial/Confidential position of Nursing Home Compliance Officer is hereby created in M/C pay grade 8 effective September 16, 2015; and be it further

RESOLVED that the salary is authorized up to \$65,000; and, be it further

RESOLVED, that the Treasurer is authorized to make the following 2015 budget adjustment:

**E6000 NH Combined**

(appropriations)

\$ 22,500 from .51560 Asst Admin/Compliance Officer

\$ 22,500 to .51660 Nursing Home Compliance Officer

Mrs. Marini 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. 519-15: AUTHORIZATION TO EXECUTE A CONTRACT WITH A PROVIDER OF RELATED SERVICES FOR PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS**

Mr. Groat presented the following:

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

WHEREAS, Wayne County Public Health (WCPH) has identified a new related service provider and wishes to contract with Children's Therapy Network, PLLC, 171 Intrepid Lane, Syracuse, NY 13205 for the period of September 1, 2015 to June 30, 2018, for the following services:

- Physical Therapy - \$59/.5hr
- Occupational Therapy - \$59/.5hr
- Speech Therapy - \$59/.5hr
- Group (up to 5) - \$40/.5hr/child
- Coordination of Services - \$20/.5hr

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Children's Therapy Network, PLLC, 171 Intrepid Lane, Syracuse, NY 13205, for Physical/Occupational/Speech Therapy \$59/.5hr, Group (up to 5) \$40/.5hr/child and Coordination of Services \$20/.5hr, subject to the County Attorney's approval as to form and content, for the period 9/1/15 to 6/30/18.

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

**RESOLUTION NO. 520-15: AUTHORIZATION TO DISPOSE OF EQUIPMENT FOR WAYNE COUNTY PUBLIC HEALTH**

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health has the following equipment that requires disposal due to poor working condition:

Panasonic Model RR830 Standard Cassette Transcriber, SN#: WG2AA004996

Panasonic Model RQ-2102 Standard Cassette Transcriber, SN#: WH2ED001968

Narcom 550 Transcriber, SN#: 60651986

Wilson Electronics dual band cellular 300 – cell phone signal repeater package

now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to dispose of the above equipment as per the Wayne County Surplus Equipment Disposition / Transfer Policy.

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

**RESOLUTION NO. 521-15: AUTHORIZATION TO SIGN AGREEMENT WITH CHILD CARING INSTITUTION – THE WILLIAM GEORGE AGENCY FOR CHILDREN'S SERVICES INC.**

Mr. Manktelow presented the following:

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

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

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement with The William George Agency for Children's Services, Inc. for the time frame 7/1/15-6/30/16 for the purchase of foster care for children, subject to the County Attorney's approval as to form and content for an amount not to exceed \$1,150,000.

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

**RESOLUTION NO. 522-15: AUTHORIZATION TO SIGN AGREEMENT WITH CHILD CARING**

**INSTITUTION SNELL FARM CHILDREN'S CENTER**

Mr. Manktelow presented the following:

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

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

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement with Snell Farm Children's Center for the time frame 7/1/15-6/30/16 for the purchase of foster care for children, subject to the County Attorney's approval as to form and content for an amount not to exceed \$500,000.

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

**RESOLUTION NO. 523-15: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES (OCFS) IN RELATION TO CHILD CARE DEVELOPMENT BLOCK GRANT FUNDS**

Mr. Manktelow presented the following:

WHEREAS, the NYS Office of Children and Family Services (OCFS) is authorized to register and inspect child day care programs or to contract for this service; and

WHEREAS, local departments of Social Services (LDSS) are qualified to fulfill the required responsibilities; and

WHEREAS, NYS OCFS provides Child Care and Development Block Grant (CCDBG) funds to Wayne County Department of Social Services to subcontract for these services; now, therefore, be it

RESOLVED that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a subcontract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Child Care Council, Inc. for the provision of services required by the Contract between the Wayne County Department of Social Services and the New York State Office of Children and Family Services for the period 1/1/15 to 12/31/15 for a cost not to exceed \$120,149.

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

**RESOLUTION NO. 524-15: AUTHORIZATION TO AMEND 2015 FAMILY COUNSELING OF THE FINGER LAKES CONTRACT FOR THE WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH**

Mr. Manktelow presented the following:

WHEREAS, the Wayne County Department of Aging and Youth contracts with Family Counseling Service of the Finger Lakes, Inc., for the provision of family and youth counseling services for youth at risk of school failure, truancy, poor social/family relations, and/or acting out behavior; and

WHEREAS, the Bullis Foundation awarded the Department \$10,000 for the provision of individual anger management counseling services by Family Counseling of the Finger Lakes for youth identified with behavior issues; and

WHEREAS, the revenue and contractual expenditure is already reflected in the 2015 County budget; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute an amended contract for the period January 1, 2015 through December 31, 2015, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Family Counseling of the Finger Lakes, Inc. to reflect the increase in the contractual amount in the of \$10,000 for the provision of Anger Management Counseling.

Mr. Kolczynski moved the adoption of the resolution. Seconded by Ms. Park. Upon roll

call, adopted.

**RESOLUTION NO. 525-15: AUTHORIZATION TO AMEND THE 2015 COUNTY BUDGET TO TRANSFER FUNDS FROM WORK EXPERIENCE TO CONTRACTUAL EXPENSES**

Mr. Manktelow presented the following:

WHEREAS, that Workforce Innovation and Opportunity Act (WIOA) legislation was implemented in the place of Workforce Investment Act (WIA) on July 1, 2015; and

WHEREAS, that Workforce Investment Board (WIB) contracts with Wayne County Workforce Development (WFD) to administer the WIOA Youth Program; and

WHEREAS, with the WIA program, WFD pays Work Experience Participants for working at local businesses; and

WHEREAS, that WFD will now contract with an independent employer to provide the On the Job Training; and

WHEREAS, that WFD is desirous in amending the budget to provide appropriations to pay the independent employer for WIOA program On the Job Trainings; now, therefore be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2015 County Budget as follows:

**A6295 WIA Youth**

(Appropriations)

\$2,770 from 51357 Work Experience Participant

\$230 from 58200 Social Security

\$3,000 to 54000 Contractual Expenses

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

**OTHER BUSINESS**

Mr. Smith moved, seconded by Mrs. Crane that five (5) resolutions be allowed on the floor under Other Business. Upon roll call, all supervisors voted Aye. Motion carried.

**RESOLUTION NO. 526-15: AUTHORIZATION TO INCREASE THE NUMBER OF AUTHORIZED VOTING MACHINE TECHNICIANS FOR BOARD OF ELECTIONS**

Mrs. Crane presented the following:

WHEREAS, the Board of Elections has three part time Voting Machine Technicians to assist with the electronic voting machines; and

WHEREAS, the Elections Commissioners have informed the County Administrator that turnover is anticipated in two of the positions; and

WHEREAS, it is prudent and necessary to have the current technicians orient and train the replacements; and

WHEREAS, a temporary authorization of two positions is requested within resources currently budgeted in the Board of Elections budget; now, therefore, be it

RESOLVED, that two additional part time Voting Machine Technicians are authorized and created; and be it further

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

**A1450 Board of Elections**

\$5,000 from .51578 Elections Training Coordinator

\$5,000 to .51665 Voting Machine Tech

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

**RESOLUTION NO. 527-15: AWARDING CONTRACT FOR PHARMACY AND CONSULTING SERVICES AT THE WAYNE COUNTY NURSING HOME**

Mr. Groat presented the following:

WHEREAS, the Wayne County Nursing Home received proposals for pharmacy and

consulting services for the Wayne County Nursing Home in accordance with the provisions of Section 103 of the General Municipal Law; and

WHEREAS, proposals were submitted by Omnicare, Health Direct and PharmScript; and WHEREAS, pricing outlined in the table below is based on the variable dispensing of pharmaceuticals of Wayne County Nursing Home:

	1/1/2016-12/31/2016	1/1/2017-12/31/2017	1/1/2018-12/31/2018
<b>Omnicare</b>	\$143,783.760	\$143,783.760	\$143,783.760
<b>Health Direct</b>	\$120,317.63	\$120,557.63	\$121,061.63
<b>PharmScript</b>	\$175,462.95	\$175,462.95	\$175,462.95

And

WHEREAS, after review of each proposal it appears that the proposal submitted by Health Direct will be the most cost effective and it is therefore recommended that Health Direct be retained to provide the professional services; now, therefore, be it

RESOLVED, that the proposal from Health Direct be accepted; and be it further RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute a Contract on behalf of the Wayne County Nursing Home, subject to the County Attorney's approval as to form and content with Health Direct for the provision of pharmacy and consulting services for 2016, 2017 and 2018 with option to renew for 2 additional years with board approval.

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

**RESOLUTION NO. 528-15: AUTHORIZATION TO REPAIR VEHICLE - GARVER**

Ms. Park presented the following:

WHEREAS, a 2005 Ford Expedition XLT owned by Gary Garver was involved in an incident where a Sheriff's vehicle collided with his Ford Expedition causing damage; and

WHEREAS; Repair quotes were received as follows:

Butch's Body Shop \$2,914.99  
 Ruggles World of Auto Body \$3,527.29  
 Ivan & Isaac Automotive \$4,383.54

now, therefore, be it

RESOLVED, that the repair quote from Butch's Body Shop in the amount of Two Thousand Nine Hundred Fourteen and 99/100 (\$2,914.99) is hereby accepted for the repair of said vehicle and that the Wayne County Treasurer is authorized to pay the sum of Two Thousand Nine Hundred Fourteen and 99/100 (\$2,914.99) for the repair of said vehicle, from Account No. A1931 (Liability & Casualty) as directed by the Wayne County Attorney.

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

**RESOLUTION NO. 529-15: AUTHORIZING PUBLIC WORKS DEPARTMENT TO CONTRACT FOR DEBRIS REMOVAL AND AMEND BUDGET**

Mr. Miller presented the following:

WHEREAS, Wayne County acquired the property at 245 Glasgow Street, Clyde, NY by tax foreclosure; and

WHEREAS, the property was not sold at the foreclosed property auction; and

WHEREAS, the main structure on the property was in disrepair and began to collapse on September 12, 2015; and

WHEREAS, because a neighboring dwelling was at risk of being damaged by the structure, the Public Works Department demolished the building on September 13, 2015; and

WHEREAS, it is now necessary to have the debris removed by a contractor and to pay the Highway Department, D Fund, for the services of demolishing the structure and restoring the site; now, therefore, be it

RESOLVED, that the Superintendent of Public Works is authorized to develop specifications and seek at least three quotes for the debris removal; and be it further

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

**A9901 Interfund Transfers**

\$4,200 from .59300 Transfer-County Road

**A1990 Contingent Fund Gen**

\$39,000 from .54000 Contractual Services

**A1364 Expenses on Property Acquired**

\$43,200 to .54000 Contractual Services

Mr. Smith moved the adoption of the resolution. Seconded by Mr. Manktelow.

Mr. Miller moved, seconded by Mr. Smith, that the TITLE of the resolution be amended, as follows:

**“RESOLUTION NO. 529-15: AUTHORIZING PUBLIC WORKS DEPARTMENT TO SOLICIT QUOTES FOR DEBRIS REMOVAL AND AMEND BUDGET”**

Motion carried.

Upon roll call, the Chairman declared the AMENDED resolution adopted.

**RESOLUTION NO. 530-15: AUTHORIZATION TO ACCEPT LOW BID FOR 15,000 LB FORKLIFT FOR THE PUBLIC WORKS DEPARTMENT**

Mr. Miller presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for a 15,000.lb mast-type fork lift for the Public Works Department and the bids were open on Tuesday, September 8, 2015 at 2:00 p.m. and the following bids were received:

BIDDER	BID AMOUNT
Hertz Rentals-2002 Hyster	\$ 26,750
Alden Equipment-2004 CAT	\$ 43,944
United Services-2007 CAT	\$44,000
US Materials Handling-2014 Heli	\$ 61,990

RESOLVED, that the bid submitted by Hertz Rentals in the amount of \$26,750 in accordance with specifications, is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Hertz Rentals in accordance with the bid acceptance.

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

**EXECUTIVE SESSION:** Mr. LeRoy moved, seconded by Mrs. Marini that the Board go into Executive Session at 8:00 p.m. to discuss a proposed litigation. Upon roll call, carried.

**REGULAR SESSION:** Mr. LeRoy moved, seconded by Ms. Park that the Board resume regular session at 8:42 p.m. Carried.

**OTHER BUSINESS**

Mr. Manktelow moved, seconded by Ms. Park that two (2) resolutions be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Motion carried.

**RESOLUTION NO. 531-15: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH SAIA COMMUNICATIONS**

Mr. LeRoy presented the following:

WHEREAS, pursuant to Board of Supervisors Resolution No. 511-13 the County entered into an agreement with Saia Communications, Inc. of Buffalo, NY, to purchase equipment and services intended to expand and improve the County's public safety radio system; and

WHEREAS, County personnel have expressed dissatisfaction with the performance of the radio system during the project, prompting Saia Communications to make adjustments and system modifications, as well as utilize the services of outside engineering firms in an effort to arrive at a system that performed satisfactorily in the determination of the County; and

WHEREAS, County personnel remain dissatisfied with overall system performance; and WHEREAS, Saia Communications has agreed to pay the amount of \$10,000 to Wayne County to satisfy the equipment and installation obligations of Saia; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an agreement with Saia Communications in the amount of \$10,000, subject to review and approval of the County Attorney; and be it further

RESOLVED, that receipt of the \$10,000 payment from Saia shall satisfy the equipment procurement and installation obligations of Saia in association with the prior agreement authorized under Board of Supervisors Resolution No. 511-13.

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

**RESOLUTION NO. 532-15: AUTHORIZATION TO RESCIND RESOLUTION 475-15, EXECUTE AN AGREEMENT WITH FINGER LAKES COMMUNICATIONS FOR RADIO SYSTEM WORK AND AMEND THE 2015 COUNTY BUDGET**

Mr. LeRoy presented the following:

WHEREAS, Board of Supervisors Resolution 475-15, duly enacted on August 10, 2015, authorized Finger Lakes Communication Company of Auburn, NY to perform work on the County's public safety radio system, and

WHEREAS, said resolution specified that alignment and optimization work would be performed on one radio channel initially, and, if results were found to be favorable by resolving existing issues, work would proceed on the three remaining dispatch channels, at a total repair cost not to exceed \$40,000 for all four channels, and

WHEREAS, Finger Lakes Communications has since determined that, to be performed in an efficient and cost effective manner, alignment and optimization work on the system must involve simultaneous work on all radio channels, rather than the originally proposed approach of one channel initially, then proceeding to the others; now, therefore, be it

RESOLVED, that Board of Supervisors Resolution 475-15 is hereby rescinded, and be it further

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an agreement, subject to review and approval as to form and content by the County Attorney, with Finger Lakes Communication Company of Auburn, New York, which shall authorize Finger Lakes to perform identified radio simulcast system alignment and optimization work, at a cost of \$140 per hour per technician, plus incidental materials and equipment, at a total repair cost not to exceed \$40,000, and be it further

RESOLVED, that the Finger Lakes technicians performing the work shall be in daily contact with the 911 Project Manager during the work, with a complete review of work and progress to date to occur at least weekly, with work to proceed only upon a favorable finding by the 911 Project Manager at each review, and be it further

RESOLVED, that the 2015 County Budget shall be amended as follows:

**A3643 Communications**

(Appropriations)

\$30,000 from .54424 Maintenance Contract

**A9999 Other**

(Revenue)  
\$10,000 to .42770 Miscellaneous Revenue  
**A9950 Transfer to Capital Project Fund Proj**  
(Appropriations)  
\$40,000 to .52777 Radio Interoperability Project  
**H1934 Radio Interoperability Project**

(Revenue)  
\$40,000 to .45031 Interfund Transfers  
(Appropriations)  
\$40,000 to .54400 Contracted Services

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

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

**ADJOURNMENT:**

The next scheduled meeting of the Board is Tuesday, October 20, 2015 at 9:00 a.m.

Ms. Park moved, seconded by Mrs. Crane, that the board adjourn at 8:45 p.m. Carried.

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

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