

12th Day
Tuesday, September 19, 2017
9:00 a.m.

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

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

Upon roll call, all Supervisors were present, . Except Supervisors Crane and Verno who were absent.

County Administrator Richard House and County Attorney Daniel Connors were also present for today's session.

APPROVAL OF MINUTES:

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

COMMUNICATIONS:

The Chairman requested a motion to waive the reading of the following communications received and to approve them as listed below:

A copy of the Sheriff's Office Cash Receipts Report dated August 17, 2017 totaling \$13,916.18 was received.

A letter was received from Senator Pam Helming, thanking Board members for the opportunity to address the board at the August Meeting held at the Wayne County Fair; and appreciates the working relationship that has developed; and looks forward to working together on future project as well.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments including the August warrants for accounts payable, totaling \$4,449,309.16 was received and filed.

Mrs. Marini moved, seconded by Mr. Kolczynski that the communication be approved. Motion carried.

PRIVILEGE OF THE FLOOR:

Chairman LeRoy 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.

PROCLAMATIONS

Miss Emily Wells read the proclamation for the 2017 Cornell Cooperative Extension National 4-H Week – October 1-7, 2017

Supervisor John Smith, Chairman of the Public Safety read the proclamation in Recognition of Sheriffs Week – September 17- 23, 2017

Undersheriff Jeff Fosdick, on behalf of the Sheriff and the Board of Supervisors, recognized Sgt. Steven Mitchell for his 37 Years of dedicated Service and wished him a happy retirement.

SCHEDULED BUSINESS:

PUBLIC HEARING

Prior to the opening of the public hearing scheduled for this morning, Chairman LeRoy read the rules and procedures that are followed for conducting such hearings for the county.

The Clerk read the introduction of the Notice of Public Hearing regarding a proposed A

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

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

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on **Tuesday, September 19, 2017 at 9:05 a.m.** in the Supervisors' Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

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

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

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

SECTION 1. LEGISLATIVE INTENT

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

1. The plan of self-insurance provided by said Article 5 of the Worker's Compensation Law, established by Local Law No. 5-2011 and amended by Local Law No. 1-2013 is further amended as provided herein:
2. The plan of self-insurance hereby established shall be administered by Standing Committee No. 5 Government Operations Committee of the Wayne County Board of Supervisors.
3.
 - a) The Committee is herewith granted the powers set forth in Section 64, Subdivision 1, of the Worker's Compensation Law with particular reference to the appointment or employment of such persons as may be deemed necessary for the operation of the plan and is herewith empowered to contract for the necessary actuarial or other professional services required in the administration of this plan.
 - b) The Committee is also herewith empowered to appoint a Director of such plan and the Director shall perform such duties as may be necessary to operate the plan in accordance with the Worker's Compensation Law; utilizing the services of a Third Party Administrator, the Director shall have the power to authorize payment of Worker's Compensation benefits to claimants as provided by Section 25 of the Worker's Compensation Law; utilizing the services of a Third Party Administrator, the Director shall have the power to authorize necessary medical care which appears from medical reports and/or information to be justifiable; the Director shall have authority to purchase supplies, stationery, forms books, equipment, etc., as may be necessary for the operation of said plan within the limits of the appropriation and subject to the approval of the Committee; and the Director shall have the responsibility to ensure that a report of the plan be prepared annually not later than 60 days following the close of the calendar year, such report to be filed with the Clerk of the Board of Supervisors and provided to each participant of the plan. The Director shall file with the Clerk of the Board on or before August 15 an estimate of need for the Plan for the ensuing year; each participant in the plan shall be notified in writing not later than September 1 of their assessment for the ensuing year.
 - c) The Committee is hereby further granted the power and authority to settle claims on behalf of the plan of self-insurance pursuant to Waiver Agreements entered into under the authority of Workers' Compensation Law, Section 32.
4. The County of Wayne shall be a participant in the Plan.

5. Any of the Towns, Villages, or Union Free and Central School Districts may elect to become a participant in the plan hereby established by filing with the Committee on or before the first day of July of any year a certified copy of the resolution of its governing body electing to become a participant in the plan, with membership to become effective on the first day of January following such filing.
6. There shall be no entrance fee required for entry into this plan for new members. Previous members who have withdrawn from the plan and wish to reenter the plan shall pay an amount equal to twenty-five percent of the most recent plan assessment for that jurisdiction prior to withdrawing from the plan plus an assessment based upon the formulae contained herein for participating members for the year of re-entry.
7. Any participant shall be entitled to withdraw from participation in the plan by filing with the Committee on or before the fifteenth day of October of any year a certified copy of the resolution of its governing body electing to withdraw from the plan effective at the end of such year. The withdrawing participant shall be assessed an amount of money equivalent to its proportionate share of the value of all outstanding and unreserved liabilities of the plan as of the date of withdrawal. Outstanding and unreserved liabilities of the plan shall be calculated utilizing the actuarially determined "expected" midpoint of the discounted "Estimated Loss and ALAE Reserves including IBNR" at the year-end for the current year. The date of withdrawing from the plan shall be the last day of the calendar year in which the notice to withdraw is received.
On or before September 1, an estimate of said amount may be requested by the withdrawing entity based upon the most recent completed year but is not a binding amount on the plan. The percent of equitable share shall be calculated by dividing the plan assessment for the jurisdiction for the current year by the assessment of all the participants in the plan for the current year, then multiplying that percentage times the difference between outstanding actuarially determined liabilities of the plan as of the date of withdrawing from the plan less the amount of the plan reserve as of that date. The actual amount shall be determined not later than June 1 of the ensuing year and the withdrawing jurisdiction shall remit the amount to the County not later than July 31. Failure to remit the full amount owed by July 31 shall cause the county to levy the unpaid amount in the next scheduled tax levy against property taxable by the participant responsible for the assessment.
8. The Committee is herewith empowered to require medical physical examinations of any or all employees of any participant as it shall deem necessary. This power shall include the right of examination of all active members of volunteer fire companies participating in the plan. The costs of such examinations shall be paid from the funds of the plan.
9. The Committee is herewith empowered to require the institution of safety programs with respect to any of the participants in this plan as it shall deem necessary.
10. The managing Committee is herewith empowered to require the participating members to promptly file reports of all accidents; to notify the Committee of the work status of any injured employee; to promptly file payroll information upon request, and to co-operate in every manner with the Committee and Director of the Plan.
11. For each infraction of Sections 8, 9, and 10 hereof, the offending participant may be assessed a fine in a sum to be determined by the Committee but which shall not in any event exceed \$50.00 for each infraction. The Committee is herewith empowered to suspend or excuse the assessment and/or the collection of such fines upon the proper showing by the offending participant. Any such penalty so assessed shall be collected at the same time and in the same manner as other charges against such participant as set forth in Section 15 of this law.
12. a) Definitions
 - (i) "Annual Estimate" is the annual estimate prepared pursuant to Section 67 of the Workers' Compensation Law.
 - (ii) "Incurred loss experience" includes paid losses plus reserves.
 - (iii) "Plan Group A" includes all school districts in the Wayne County Self-

- Insurance Plan.
- (iv) "Plan Group B" includes the County of Wayne and all Towns and Village participants in the Wayne County Self-Insurance Plan.
 - (v) "Plan Group A and B loss distribution factor" shall be 100% of the total Plan assessment.
 - (vi) "Plan Group A, and B three-year experience assessment" is the amount determined by multiplying fifty percent of the total annual estimate by the Plan Group A, and B three-year loss distribution factor.
 - (vii) "Participant's experience rating factor" for each Plan
 - (viii) Group A, and B participant is the participant's pro rata share, expressed as a percentage, of the incurred loss experience for all Plan Group A, and B participants in the three consecutive calendar years immediately preceding the year in which the annual estimate is prepared. The amount in excess of \$20,000 incurred for an individual claim in any calendar year shall not be used in determining a participant's loss experience for such calendar year.
 - (ix) "Participant's payroll rating factor" for each Plan Group A, and B participant is the participant's pro rata share, expressed as a percentage, of the total payroll for Plan Group A, and B participants for the year immediately preceding the year in which the annual estimate is prepared.
 - (x) "Plan Group A, and B payroll assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A and, B loss distribution factor.
 - (xi) "Participant's taxable property value rating factor" for each Plan Group A and B participant is the participant's pro rata share, expressed as a percentage, of the total taxable property value for Plan Group A and B participants for the year immediately preceding the year in which the annual estimate is prepared. For those Plan Group B town participants that have one or more village governments within their jurisdictions the equalized assessments of the participants shall not include the village equalized assessments in the town government assessments for the purpose of calculating equalized assessed value for the plan.
 - (xii) "Plan Group A and B property value assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A, and B loss distribution factor.
 - (xiii) "Plan Group A property value assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A loss distribution factor.
 - (xiv) "Plan Group B property value assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group B loss distribution factor
- b) Apportionment of Costs
- (i) Twenty-five percent of the annual estimate of costs shall be apportioned to each Plan participant on a payroll rating basis. The share for each participant shall be determined by multiplying the participant's payroll rating factor by the participant's Plan Group payroll assessment.
 - (ii) Fifty percent of the annual estimate of costs shall be apportioned to Plan participants on an experience rating basis. The share of each participant shall be determined by multiplying the participant's experience rating factor by the participant's Plan Group experience rating factor.
 - (iii) The amount in excess of \$20,000 incurred for an individual claim in any calendar year shall not be used in determining a participant's loss experience for such calendar year.
 - (iv) If the total amount apportioned to a participant in any year exceeds twice the amount apportioned to such participant in the immediately preceding

year, the excess amount shall not be charged to the participant but shall be apportioned to all other participants utilizing the percent of each participants current assessment as a percent of the total assessments of all other participants, less the assessment for any participant that exceeds twice the amount apportioned, to apportion the excess amount to all other participants.

- (v) Twenty-five percent of the annual estimate of costs shall be apportioned to each Plan participant on a property value rating basis. The share for each participant shall be determined by multiplying each participant's equalized taxable property value rating factor by the participant's Plan Group property value assessment. For those Plan Group B town participants that have one or more village governments within their jurisdictions the equalized assessments of the participants shall not include the village equalized assessments in the town government assessments for the purpose of calculating equalized assessed value for the plan.
- 13. Payment of the amounts so proportioned to participating towns as provided in Section 13 shall be made to the Wayne County Treasurer not later than thirty (30) days after the commencement of such participant's next fiscal year, as provided in Section 67 of the Workmen's Compensation Law.
Any amount proportioned to participating towns, villages, or school districts that is not remitted by the specified due date may be levied in the next scheduled tax levy for the year after it was due against property taxable by the participant responsible therefore. When collected, such amount shall be paid over to the Wayne County Treasurer and by him credited to the Wayne County Self Insurance Fund. For the failure of a participant to pay its share of an annual estimate within thirty (30) days after the commencement of its fiscal year, there shall be assessed a penalty equal to but not exceeding one per cent per month on the amount billed to the date of payment.
- 14. If at any time there are insufficient moneys in the Wayne County Self Insurance Fund, exclusive of the reserve, to operate the plan, the County Treasurer shall advance to such fund such amount from the General Fund of the County as shall be requested by the Committee and approved by resolution of the Board of Supervisors. Any such advance shall be repaid as soon as moneys are available therefore, but in no event later than the close of the calendar year succeeding the calendar year in which the advance was made. However, any such advance may be repaid not later than the close of the second calendar year succeeding the calendar year in which such advance was made, when made during such calendar year at a time subsequent to the preparation of the estimate by the Committee for the succeeding calendar year.
- 15. A self-insurance reserve in addition to the plan reserve for estimated loss and ALAE Reserves including IBNR in an amount not to exceed \$50,000 is hereby authorized to be established for the Wayne County Self-Insurance Plan. The funds for such reserve may be provided by (1) contributions to the reserve included in the annual estimate prepared by the Committee; (b) the transfer of moneys from the unexpended current fund balance upon authorization by the Committee, or (c) the accumulation of interest earned from the investment of reserve funds.
- 16. The Committee is herewith empowered to invest the reserve funds in accordance with Section 6-F of the General Municipal Law.
- 17. In the event of abandonment of the plan, all moneys remaining in such reserve in excess of an amount sufficient to satisfy all accrued and contingent liability shall be refunded to the participants in the same manner as collected by the most recent apportionment.
- 18. The committee, subject to the approval of the Board of Supervisors, may on behalf of the plan purchase excess or catastrophe insurance and the cost of such insurance shall be an administrative expense of the plan.
- 19. The Board of Supervisors may, by local law, provide for the abandonment of this plan. Such abandonment shall be effective as of the close of the calendar year in progress.

Such plan, however, shall continue to operate thereafter until all liabilities of the plan incurred prior to such effective date shall have been satisfied and all advances to the Wayne County Self Insurance Fund repaid. Any assets of the plan remaining after the satisfaction of such liabilities shall be distributed among the participants, such participants to share in a pro rata basis on the equalized assessed valuation then effective.”

SECTION 2. EFFECTIVE DATE

This local law shall take effect immediately.

The Chairman opened the floor for public comment on the tentative budget presented for the opportunity for citizens to express their views on the subject.

After allowing time for the opportunity for comments on the proposed amendment of the Wayne County Self-Insurance Plan for Workers’ Compensation, Chairman LeRoy requested a motion to close the hearing.

At 9:22 a.m., Mr. Chatfield moved, seconded by Mrs. Marini, that the hearing be closed. Upon roll call, carried.

Chairman LeRoy introduced and welcomed Thomas Crowley and the Newark High School Government Class to this morning’s meeting.

UNFINISHED BUSINESS

Mr. Baldrige indicated that Resolution No. 332-17 Authorization to Create Supervisor of Children with Special Needs Position that was previously TABLED on June 20, 2017, would remain on the Table at this time.

Mr. Manktelow moved the removed Resolution No. 439-17 from the Table. Seconded by Mrs. Pagano. Upon roll call, all Supervisors voted Aye, except Supervisor Spickerman who voted Nay. Absent – Supervisors Crane and Verno. The Chairman declared the motion carried.

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

Mr. Smith presented the following:

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

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

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

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

A Local Law Amending Local Law No. 6-2002 Repealing the Wireless Communications

Surcharge Authorized by Article Six of the County Law of the State of New York; and Imposing the Wireless Communications Surcharges Pursuant to the Authority of Tax Law § 186-G.
BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

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

SECTION 2. IMPOSITION OF WIRELESS COMMUNICATIONS SURCHARGES.

- A. Pursuant to the authority of Tax Law § 186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Wayne on:
- (i) wireless communications service provided to a wireless communications customer with a place of primary use within such County, at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and
 - (ii) the retail sale of prepaid wireless communications service sold within such County, at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.
- B. Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.
- C. Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this Local Law, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 3. ADMINISTRATION OF SURCHARGES.

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

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

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

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

SECTION 6. EFFECTIVE DATE.

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

Mr. Manktelow moved the adoption of the resolution, seconded by Mrs. Pagano.

Mr. Smith addressed the Board to note that changes in the Tax Authority Law requires counties to adopt a local law to collect E911 surcharges. A portion of these collected funds are returned and have been a source of county funding for years. The prepaid programs that were not initially covered will now be included under this new law.

Mr. Spickerman commented that it's not the fee that concerns him; however the obvious burden on the small business owner and the mandates that the state consistently imposes.

Mr. Baldridge noted that this is an existing tax, not a new tax; and equally, these are critical services that are used by all and should be treated equal.

Upon roll call, all Supervisors voted Aye except Supervisor Spickerman, who voted Nay. Absent – Supervisors Crane and Verno. The Chairman declared the resolution adopted.

RESOLUTION NO. 448-17: ESTABLISHING TOWN EQUALIZATION RATES FOR 2018 COUNTY TAXES

Mrs. Marini 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 2017 to affect the 2018 County taxes:

Arcadia	96.00	Palmyra	98.00
Butler	100.00	Rose	100.00
Galen	87.00	Savannah	100.00
Huron	95.00	Sodus	100.00
Lyons	100.00	Walworth	100.00
Macedon	100.00	Williamson	100.00
Marion	100.00	Wolcott	100.00
Ontario	100.00		

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.

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

RESOLUTION NO. 449-17: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION) - WILLIAMSON

Mrs. Marini 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 which was again amended by Resolution No. 307-10 and subsequently amended by Resolution No. 591-15 which defined standards and procedures for County participation in litigation involving challenges to real property assessments; and

WHEREAS, a request from 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 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. 591-15 for the following Town and their respective petition:

TOWN	Property Owner	Parcel ID#
<u>Index #(s)</u>		
Williamson 2017-81116	Swiird Preservation, LLC	65117-00-999756
Williamson 2017-81093	Rite Aid Corporation	65117-08-910873

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

RESOLUTION NO. 450-17: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION) - ARCADIA

Mrs. Marini 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 which was again amended by Resolution No. 307-10 and subsequently amended by Resolution No. 591-15 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 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, the 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, 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. 591-15 for the following Town and their respective petition:

TOWN	Property Owner	Parcel ID#
<u>Index #(s)</u>		
Arcadia	Wal-Mart Real Estate Trust #1813	69111-00-342234

2017-81165

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

RESOLUTION NO. 451-17: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION) - MACEDON

Mrs. Marini 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 which was again amended by Resolution No. 307-10 and subsequently amended by Resolution No. 591-15 which defined standards and procedures for County participation in litigation involving challenges to real property assessments; and

WHEREAS, a request from the Town of Macedon 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 Macedon does include statement of fact that the ***Town of Macedon and the Gananda 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. 591-15 for the following Town and their respective petition:

TOWN	Property Owner	Parcel ID#
	Index #(s)	
Macedon	Evergreen Hills Assoc, LP	62113-00-023850
	2017-81118	
Macedon	Evergreen Hills II Assoc, LP	61113-08-984851
		2017-81119
Macedon	Evergreen Hills 3 Assoc, LP	61113-08-936868
		2017-81120

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

RESOLUTION NO. 452-17: AUTHORIZATION TO CONTRACT FOR AUCTIONEER SERVICES FOR TAX FORECLOSURE AUCTIONS

Mrs. Marini presented the following:

WHEREAS, the Real Property Tax Services Department will be conducting Tax Foreclosure Auctions of delinquent properties to be held on June 13, 2018, June 12, 2019 and June 10, 2020; and

WHEREAS, the Real Property Tax Services Department is desirous of having auction services performed by a professional auctioneer; and

WHEREAS, the Real Property Tax Services Department has been pleased with the current auctioneer services provided by Reynolds Auction Co; and

WHEREAS, the Wayne County Purchasing Policy and Procedures allows contracts to be continued based on specific monetary thresholds for specific services provided; and

WHEREAS, the Real Property Tax Services Director has obtained a quotation from

Reynolds Auction Co. of \$1,200.00 annually for years 2018, 2019 and 2020 with no annual increase; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, as outlined in the RFP, for auctioneering services to occur on the Wayne County Tax Foreclosure Auction dates of June 13, 2018, June 12, 2019 and June 10, 2020 with David A. Koeberle of Reynolds Auction Co. in the amount of \$1,200.00.

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

RESOLUTION NO. 453-17: AUTHORIZATION TO PURCHASE AUDIO VISUAL EQUIPMENT AND INSTALLATION FOR THE NEW CONFERENCE ROOM IN THE COUNTY CLERKS BUILDING FROM FUSION DIGITAL

Mrs. Marini presented the following:

WHEREAS, the Information Technology Department is working with the Public Works Department to acquire and install audio visual equipment in the new conference room in the County Clerks Building; and

WHEREAS, the Information Technology Department acquired three quotes for the project:

AVI	\$10,355.99
Fusion Digital	\$13,652.95
PCC	\$17,702.00

and

WHEREAS, the quote from AVI in the amount of \$10,355.99 does not have complete descriptions with part numbers and follow up questions were not responded to; and

WHEREAS, the quote from Fusion Digital is complete in the amount of \$13,652.95; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign an agreement with Fusion Digital for the purchase and installation of audio video equipment, on behalf of the County of Wayne, subject to approval by the County Attorney.

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

RESOLUTION NO. 454-17: ADOPTION OF LOCAL LAW AMENDING LOCAL LAW 1-2013, WHICH AMENDED WAYNE COUNTY SELF INSURANCE PLAN FOR WORKERS' COMPENSATION, ESTABLISHED BY LOCAL LAW NO. 5-2011

Mrs. Marini presented the following:

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

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

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

WHEREAS, a public hearing on the proposed local law was held on Tuesday, September 19, 2017 at 9:05 in the Supervisors Chambers located at 26 Church Street, Lyons, New York 14489, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore be it

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

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

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

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

SECTION 1. LEGISLATIVE INTENT

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

1. The plan of self-insurance provided by said Article 5 of the Worker's Compensation Law, established by Local Law No. 5-2011 and amended by Local Law No. 1-2013 is further amended as provided herein:
2. The plan of self-insurance hereby established shall be administered by Standing Committee No. 5 Government Operations Committee of the Wayne County Board of Supervisors.
3.
 - a) The Committee is herewith granted the powers set forth in Section 64, Subdivision 1, of the Worker's Compensation Law with particular reference to the appointment or employment of such persons as may be deemed necessary for the operation of the plan and is herewith empowered to contract for the necessary actuarial or other professional services required in the administration of this plan.
 - b) The Committee is also herewith empowered to appoint a Director of such plan and the Director shall perform such duties as may be necessary to operate the plan in accordance with the Worker's Compensation Law; utilizing the services of a Third Party Administrator, the Director shall have the power to authorize payment of Worker's Compensation benefits to claimants as provided by Section 25 of the Worker's Compensation Law; utilizing the services of a Third Party Administrator, the Director shall have the power to authorize necessary medical care which appears from medical reports and/or information to be justifiable; the Director shall have authority to purchase supplies, stationery, forms books, equipment, etc., as may be necessary for the operation of said plan within the limits of the appropriation and subject to the approval of the Committee; and the Director shall have the responsibility to ensure that a report of the plan be prepared annually not later than 60 days following the close of the calendar year, such report to be filed with the Clerk of the Board of Supervisors and provided to each participant of the plan. The Director shall file with the Clerk of the Board on or before August 15 an estimate of need for the Plan for the ensuing year; each participant in the plan shall be notified in writing not later than September 1 of their assessment for the ensuing year.
 - c) The Committee is hereby further granted the power and authority to settle claims on behalf of the plan of self-insurance pursuant to Waiver Agreements entered into under the authority of Workers' Compensation Law, Section 32.
4. The County of Wayne shall be a participant in the Plan.
5. Any of the Towns, Villages, or Union Free and Central School Districts may elect to become a participant in the plan hereby established by filing with the Committee on or before the first day of July of any year a certified copy of the resolution of its governing body electing to become a participant in the plan, with membership to become effective on the first day of January following such filing.
6. There shall be no entrance fee required for entry into this plan for new members. Previous members who have withdrawn from the plan and wish to reenter the plan shall pay an amount equal to twenty-five percent of the most recent plan assessment for that jurisdiction prior to withdrawing from the plan plus an assessment based upon the formulae contained herein for participating members for the year of re-entry.
7. Any participant shall be entitled to withdraw from participation in the plan by filing with

the Committee on or before the fifteenth day of October of any year a certified copy of the resolution of its governing body electing to withdraw from the plan effective at the end of such year. The withdrawing participant shall be assessed an amount of money equivalent to its proportionate share of the value of all outstanding and unreserved liabilities of the plan as of the date of withdrawal. Outstanding and unreserved liabilities of the plan shall be calculated utilizing the actuarially determined "expected" midpoint of the discounted "Estimated Loss and ALAE Reserves including IBNR" at the year-end for the current year. The date of withdrawing from the plan shall be the last day of the calendar year in which the notice to withdraw is received.

On or before September 1, an estimate of said amount may be requested by the withdrawing entity based upon the most recent completed year but is not a binding amount on the plan. The percent of equitable share shall be calculated by dividing the plan assessment for the jurisdiction for the current year by the assessment of all the participants in the plan for the current year, then multiplying that percentage times the difference between outstanding actuarially determined liabilities of the plan as of the date of withdrawing from the plan less the amount of the plan reserve as of that date. The actual amount shall be determined not later than June 1 of the ensuing year and the withdrawing jurisdiction shall remit the amount to the County not later than July 31. Failure to remit the full amount owed by July 31 shall cause the county to levy the unpaid amount in the next scheduled tax levy against property taxable by the participant responsible for the assessment.

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

- participants in the three consecutive calendar years immediately preceding the year in which the annual estimate is prepared. The amount in excess of \$20,000 incurred for an individual claim in any calendar year shall not be used in determining a participant's loss experience for such calendar year.
- (ix) "Participant's payroll rating factor" for each Plan Group A, and B participant is the participant's pro rata share, expressed as a percentage, of the total payroll for Plan Group A, and B participants for the year immediately preceding the year in which the annual estimate is prepared.
 - (x) "Plan Group A, and B payroll assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A and, B loss distribution factor.
 - (xi) "Participant's taxable property value rating factor" for each Plan Group A and B participant is the participant's pro rata share, expressed as a percentage, of the total taxable property value for Plan Group A and B participants for the year immediately preceding the year in which the annual estimate is prepared. For those Plan Group B town participants that have one or more village governments within their jurisdictions the equalized assessments of the participants shall not include the village equalized assessments in the town government assessments for the purpose of calculating equalized assessed value for the plan.
 - (xii) "Plan Group A and B property value assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A, and B loss distribution factor.
 - (xiii) "Plan Group A property value assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A loss distribution factor.
 - (xiv) "Plan Group B property value assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group B loss distribution factor
 - b) Apportionment of Costs
 - (i) Twenty-five percent of the annual estimate of costs shall be apportioned to each Plan participant on a payroll rating basis. The share for each participant shall be determined by multiplying the participant's payroll rating factor by the participant's Plan Group payroll assessment.
 - (ii) Fifty percent of the annual estimate of costs shall be apportioned to Plan participants on an experience rating basis. The share of each participant shall be determined by multiplying the participant's experience rating factor by the participant's Plan Group experience rating factor.
 - (iii) The amount in excess of \$20,000 incurred for an individual claim in any calendar year shall not be used in determining a participant's loss experience for such calendar year.
 - (iv) If the total amount apportioned to a participant in any year exceeds twice the amount apportioned to such participant in the immediately preceding year, the excess amount shall not be charged to the participant but shall be apportioned to all other participants utilizing the percent of each participants current assessment as a percent of the total assessments of all other participants, less the assessment for any participant that exceeds twice the amount apportioned, to apportion the excess amount to all other participants.
 - (v) Twenty-five percent of the annual estimate of costs shall be apportioned to each Plan participant on a property value rating basis. The share for each participant shall be determined by multiplying each participant's equalized taxable property value rating factor by the participant's Plan Group property value assessment. For those Plan Group B town participants that have one

or more village governments within their jurisdictions the equalized assessments of the participants shall not include the village equalized assessments in the town government assessments for the purpose of calculating equalized assessed value for the plan.

13. Payment of the amounts so proportioned to participating towns as provided in Section 13 shall be made to the Wayne County Treasurer not later than thirty (30) days after the commencement of such participant's next fiscal year, as provided in Section 67 of the Workmen's Compensation Law.
Any amount proportioned to participating towns, villages, or school districts that is not remitted by the specified due date may be levied in the next scheduled tax levy for the year after it was due against property taxable by the participant responsible therefore. When collected, such amount shall be paid over to the Wayne County Treasurer and by him credited to the Wayne County Self Insurance Fund. For the failure of a participant to pay its share of an annual estimate within thirty (30) days after the commencement of its fiscal year, there shall be assessed a penalty equal to but not exceeding one per cent per month on the amount billed to the date of payment.
14. If at any time there are insufficient moneys in the Wayne County Self Insurance Fund, exclusive of the reserve, to operate the plan, the County Treasurer shall advance to such fund such amount from the General Fund of the County as shall be requested by the Committee and approved by resolution of the Board of Supervisors. Any such advance shall be repaid as soon as moneys are available therefore, but in no event later than the close of the calendar year succeeding the calendar year in which the advance was made. However, any such advance may be repaid not later than the close of the second calendar year succeeding the calendar year in which such advance was made, when made during such calendar year at a time subsequent to the preparation of the estimate by the Committee for the succeeding calendar year.
15. A self-insurance reserve in addition to the plan reserve for estimated loss and ALAE Reserves including IBNR in an amount not to exceed \$50,000 is hereby authorized to be established for the Wayne County Self-Insurance Plan. The funds for such reserve may be provided by (1) contributions to the reserve included in the annual estimate prepared by the Committee; (b) the transfer of moneys from the unexpended current fund balance upon authorization by the Committee, or (c) the accumulation of interest earned from the investment of reserve funds.
16. The Committee is herewith empowered to invest the reserve funds in accordance with Section 6-F of the General Municipal Law.
17. In the event of abandonment of the plan, all moneys remaining in such reserve in excess of an amount sufficient to satisfy all accrued and contingent liability shall be refunded to the participants in the same manner as collected by the most recent apportionment.
18. The committee, subject to the approval of the Board of Supervisors, may on behalf of the plan purchase excess or catastrophe insurance and the cost of such insurance shall be an administrative expense of the plan.
19. The Board of Supervisors may, by local law, provide for the abandonment of this plan. Such abandonment shall be effective as of the close of the calendar year in progress. Such plan, however, shall continue to operate thereafter until all liabilities of the plan incurred prior to such effective date shall have been satisfied and all advances to the Wayne County Self Insurance Fund repaid. Any assets of the plan remaining after the satisfaction of such liabilities shall be distributed among the participants, such participants to share in a pro rata basis on the equalized assessed valuation then effective."

SECTION 2. EFFECTIVE DATE

This local law shall take effect immediately.

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

RESOLUTION NO. 455-17: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH VOIANCE LANGUAGE SERVICES, LLC FOR THE WAYNE COUNTY E911 CENTER

Mr. Smith presented the following:

WHEREAS, the Wayne County E911 Center has an ongoing requirement for foreign language interpretation services; and

WHEREAS, several other County departments have similar interpretation needs for compliance and other purposes; and

WHEREAS, E911 is desirous of changing vendors to reduce costs while increasing service; and

WHEREAS, E911 has determined that Voiance Language Services, LLC provides increased services at reduced costs as compared to the current vendor; and

WHEREAS, Wayne County is desirous of utilizing a "piggyback" purchase via an Erie County contract for said services in accordance with General Municipal Law 103(16); now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a three year agreement with Voiance Language Services, LLC, 5780 North Swan Road, Tucson, AZ 85718 at a first year cost of \$0.75 per minute for voice translation services of over 200 languages, and a cost of \$0.95 per minute for Video Remote Interpretation services for 28 languages, including American Sign Language, subject to review and approval of the County Attorney.

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

RESOLUTION NO. 456-17: AUTHORIZATION TO DECLARE SINGLE SOURCE AND PURCHASE PORTO2VENT CPAP UNITS FOR ALS SERVICES

Mr. Smith presented the following:

WHEREAS, ALS Services has utilized PortO2Vent Continuous Positive Airway Pressure (CPAP) units in three ALS vehicles for several years; and

WHEREAS, the PortO2Vent CPAP unit provides improved control of flow rates and pressure with better patient comfort than disposable CPAP units; and

WHEREAS, ALS Services is desirous of standardizing its fleet by purchasing three additional PortO2Vent CPAP units; and

WHEREAS, standardization of CPAP units will also reduce training requirements; and

WHEREAS, the purchase of said units was included in the 2017 Operating Budget Equipment Addendum; and

WHEREAS, Next Life Medical does not use resellers or distribution, only selling its products direct; now, therefore, be it

RESOLVED, that in accordance with Wayne County purchasing policies, Emergent Respiratory, A Next Life Medical Company, is hereby declared to be the single source vendor for non-disposable CPAP units; and be it further

RESOLVED, that three Emergent PortO2Vent (p/n 1900-001) be purchased at a price of \$599.99 per unit from Emergent Respiratory, A Next Life Medical Company in accordance with County Purchasing Policy.

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

RESOLUTION NO. 457-17: AUTHORIZATION TO AWARD BID FOR CLEANING SUPPLIES FOR THE SHERIFF'S OFFICE JAIL FACILITY

Mr. Smith presented the following:

WHEREAS, the Wayne County Sheriff's Office requested proposals for cleaning supplies for janitorial supplies and in-service training on the proper use of the cleaning agents as required by the Wayne County Sheriff's Office Jail Facility; and

WHEREAS, the contract period will be for three (3) years commencing upon the

execution of the contract; and

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for janitorial supplies and in-service training for the Wayne County Sheriff's Office Jail Facility, located at 7368 Route 31, Lyons, New York; and

WHEREAS, the following request for proposals were received prior to deadline and opened on Thursday, July 20, 2017, at 2:00 pm:

BIDDER	BID AMOUNT
The Cleaning Solution, Inc.	\$ 48,265.00 per year
Ecolab	\$ 73,411.30 per year

now, therefore, be it

RESOLVED, that the bid submitted by The Cleaning Solution of Pittsford, NY with the proposal cost of \$48,265.00 per year, submitted in accordance with the 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 three-year contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with The Cleaning Solution, Inc. for \$ 48,265.00 per year, in accordance with said proposal acceptance.

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

RESOLUTION NO. 458-17: AUTHORIZATION TO DISPOSE OF SURPLUS COUNTY VEHICLES

Mr. Miller presented the following:

WHEREAS, the Central Garage has several surplus vehicles that are no longer needed by various departments and should be disposed of, and

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

VEHICLE/ITEM
DISPOSAL
2011 Ford Crown Victoria – VIN 2FABP7BV1BX167404 (Sheriff) Auction/Municipality
2008 Ford Crown Victoria – VIN 2FAFP71V38X159333 (Sheriff) Auction/Municipality
2015 Ford Interceptor SUV – VIN 1FM5K8AT8FGA35470 (Sheriff) Scrap/Insurance
2003 Dodge Pickup – VIN 3D7KU26D13G836618 (Central Garage) Auction

now, therefore, be it

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

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

RESOLUTION NO. 459-17: AUTHORIZATION TO SIGN CONTRACT WITH ROCHESTER GLASS FOR THE INSTALLATION OF INTERIOR ALUMINUM FRAME DOOR & WINDOW AS PART OF THE SECURITY IMPROVEMENT PROJECT IN THE COURT HOUSE.

Mr. Miller presented the following:

WHEREAS, the Public Works Department has been tasked with improving security on the first floor of the Wayne County Court House at 26 Church St.; and

WHEREAS, the Deputy Superintendent of Public Works recommends that an aluminum frame door and window would be the best solution in the County Administrator office area, similar to what was recently installed on the second floor for the Public Defender area; and

WHEREAS, the new door will be equipped with an access control device to improve the security within this area; and

WHEREAS, The Deputy Superintendent requested quotes from three vendors and received the following responses:

Kelley Brothers, LLC:	\$7,084.00
Geneva Glass Center:	\$4,017.00
Rochester Glass:	\$3,198.00

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the contract with Rochester Glass Center on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content for the install of aluminum frame door and window for a cost of \$3,198.00.

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

RESOLUTION NO. 460-17: AUTHORIZATION TO EXECUTE AGREEMENT WITH THE WAYNE COUNTY SNOWMOBILE CLUBS

Mr. Spickerman presented the following:

WHEREAS, Wayne County is the Local Sponsor for the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) Snowmobile Trails Grant-In-Aid Program; and

WHEREAS, Snowmobiling has expanded the capacity of recreational trails to include winter use; and

WHEREAS, Wayne County and area snowmobile clubs have participated in the OPRHP snowmobile grant program, using grant money and volunteer labor to improve and extend trails for snowmobile use; and

WHEREAS, Wayne County has approximately 2600 registered snowmobiles, over 190 miles of NYS OPRHP funded snowmobile trails, three organized clubs and a regional council; and

WHEREAS, County Resolutions 239-06, 515-07, 774-09 680-11,495-13 and 558-15 authorized previous agreements with the Snowmobile Clubs; and

WHEREAS, the size of the snowmobile trail program has caused the Planning Department to recommend formalizing the County's relationship with the snowmobile clubs to establish, among other things, expectations and schedules for the timely submission of required documentation to the State for snowmobile trail reimbursement; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute an agreement between the County of Wayne and each snowmobile club interested in applying to OPRHP for snowmobile trails funding in Wayne County, subject to approval as to form and content by the County Attorney, and be it further

RESOLVED, that the Chairman is authorized to execute a contract extension as defined in the aforementioned contracts, subject to approval as to form and content by the County Attorney.

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

RESOLUTION NO. 461-17: AUTHORIZATION TO EXECUTE TRAIL AGREEMENT WITH THE LAKESHORE RIDERS SNOWMOBILE CLUB

Mr. Spickerman presented the following:

WHEREAS, Resolution No. 560-15 authorized an agreement with the Lakeshore Snow Devils Snowmobile Club, which will expire on December 31, 2017; and

WHEREAS, the Lakeshore Riders, Inc. Snowmobile Club has indicated a willingness to continue to provide volunteers and make improvements, including the installation of signs, to the Wayne County owned portion of the Erie Canal Trail in the Towns of Lyons and Galen; and

WHEREAS, the NYS Office of Parks, Recreation and Historic Preservation snowmobile grant in aid program includes this trail as part of the NY State Snowmobile program; and

WHEREAS, the County of Wayne authorizes the non-motorized use of this trail, except that the trail may be used in the winter by snowmobiles; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to sign a new agreement with the Lakeshore Riders, Inc. Snowmobile Club for improvements to the above referenced trail, effective January 1, 2018 and expiring on December 31, 2019, subject to approval as to form and content by the County Attorney, and be it further

RESOLVED, that the Chairman is authorized to execute a contract extension as defined in the aforementioned contract, subject to approval as to form and content by the County Attorney.

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

RESOLUTION NO. 462-17: AUTHORIZE INTERMUNICIPAL AGREEMENT FOR COUNTY TO ASSIST WITH TOWN CDBG ECONOMIC DEVELOPMENT GRANT

Mr. Spickerman presented the following:

WHEREAS, the Town of Williamson has applied for Federal grant assistance from the New York State Office of Community Renewal (OCR) through the Community Development Block Grant Program (CDBG) for the purpose of assisting Baldwin Richardson Foods, Inc. to expand and retain employment opportunities; and

WHEREAS, the County Department of Economic Development & Planning has the capacity to administer the use of such CDBG funding in the best interests of the Town; and

WHEREAS, the Town is willing to reimburse the County for eligible expenses for this work, subject to an award from the Office of Community Renewal; now, therefore, be it

RESOLVED, the County agrees to provide these services of the Department of Economic Development & Planning, subject to an Intermunicipal Agreement; and be it further

RESOLVED, the Chairman of the Board is authorized to sign this Intermunicipal Agreement, pending approval of County Attorney as to form and content.

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

RESOLUTION NO. 463-17: AUTHORIZE AGREEMENT WITH WILLIAMSON DRIFTRIDERS FOR WALLINGTON TO SODUS POINT TRAIL

Mr. Spickerman presented the following:

WHEREAS, Resolution No. 559-15 authorized an agreement with the Williamson Driftriders Snowmobile Club, which will expire on December 31, 2017; and

WHEREAS, the Williamson Driftriders Snowmobile Club has indicated a willingness to continue to provide volunteers and make improvements, including the installation of signs, to the abandoned Wallington to Sodus Point rail line trail; and

WHEREAS, the NYS Office of Parks, Recreation and Historic Preservation snowmobile grant in aid program includes this trail as part of the NY State Snowmobile program; and

WHEREAS, the County of Wayne authorizes the non-motorized use of this trail, except that the trail may be used in the winter by snowmobiles; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to sign a new agreement with the Williamson Driftriders Snowmobile Club for improvements to the above referenced trail, effective January 1, 2018 and expiring on

December 31, 2019, subject to approval as to form and content by the County Attorney, and be it further

RESOLVED, that the Chairman is authorized to execute a contract extension as defined in the aforementioned contract, subject to approval as to form and content by the County Attorney.

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

RESOLUTION NO. 464-17: 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 2018 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 2018.

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

RESOLUTION NO. 465-17: AUTHORIZATION TO APPLY FOR CDBG LAKE ONTARIO FLOOD RELIEF PROGRAM

Mr. Spickerman presented the following:

WHEREAS, A state of emergency was declared for all the shorelines of Lake Ontario by Governor Cuomo due to extreme flooding conditions; and

WHEREAS, the towns of Ontario, Williamson, Sodus, Huron and Wolcott and the Village of Sodus Point and Wayne County, have also declared local states of emergency, due to the extreme flooding conditions from Lake Ontario; and

WHEREAS, Wayne County has experienced significant local costs during the Lake Ontario Flood Response of 2017; and

WHEREAS, the Office of Community Renewal Community Development Block Grant Program 2017 Imminent Threat – Lake Ontario Flood Relief Program has funding sources to reimburse the County for a portion of these expenses; now, therefore, be it

RESOLVED, the Department of Economic Development & Planning is authorized to develop an application or applications to the Lake Ontario Flood Relief Program for reimbursement for flood response expenses, repair expenses and for potential mitigation and resilience expenditures, pending review and approval of the County Attorney as to form and content.

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

Prior to today's presentation of the Government Operation Committee resolutions, Supervisor Manktelow took this opportunity to thank Rick House, Wayne County Administrator and Brian Pincelli, Wayne County Economic Development and Planning Director, including all members of the shared services panel, for the work that was done to complete the Shared Services plan for Wayne County. Nice job.

RESOLUTION NO. 466-17: ESTABLISHING STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS TO COMPLY WITH NYS RETIREMENT LAW

Mr. Manktelow presented the following:

WHEREAS, New York State has issued regulations (§315.4) concerning the

establishment of a standard work day and additional reporting requirements for elected and appointed officials who begin new terms of office on or after August 12, 2009; and

WHEREAS, the Board has reaffirmed Resolution No. 452-93 (08/17/93) establishing a standard work day of six (6) hours for the Wayne County Board of Supervisors and for part-time appointed officials who are not subject to collective bargaining agreements; and

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

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

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

Elected Officials	Standard Work Day (hours)	Name	SS# (last four digits)	Reg. #	Tier 1	Current term of office	Record of Activities Result	Not submitted
Coroner	7	Karen Nickell	1667	61766515	No	1/1/17-12/31/20	2.395	

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

RESOLUTION NO. 467-17: ADOPTION OF SALARY ADMINISTRATION PROGRAM AND STRUCTURE FOR 2018 FOR THE MANAGERIAL AND CONFIDENTIAL EMPLOYEES GROUP

Mr. Manktelow presented the following:

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

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

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

WHEREAS, performance reviews conducted by appointing authorities for the period July 1, 2016 through June 30, 2017 are the basis for changes in compensation beginning January 1, 2018; and

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

WHEREAS, the resulting pay changes will be incorporated into the County budget for 2018, now therefore be it

RESOLVED, that the attached Salary Administration Program is hereby adopted to implement salary and hourly rate changes for the employees of the Managerial/Confidential Employees Group beginning January 1, 2018; and be it further

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

**Wayne County Department of Human Resources
M/C Employees Salary Administration Program for Fiscal Year 2018**

General Rules:

1. All employees at the 2017 minimum established rate of the appropriate pay grade will move to the minimum rate for 2018. No employee will fall below the established pay grade minimum.
2. No employee can move above the maximum rate established for the appropriate pay range. Any employee who is above the maximum rate in 2017 shall be maintained at his/her current rate of pay until that rate falls below the maximum established for the pay grade.
3. An employee who receives a rating of "unsatisfactory" will be held at his/her current rate of pay as long as this pay rate is equal to, or greater than the minimum established for 2018.
4. An employee who receives a rating of "needs development" may receive a pay adjustment of up to 1.0% unless such adjustment would cause the employee's pay rate to fall below the established minimum for the assigned pay grade. In such a case, the employee will move to the minimum.
5. Any employee who receives a rating of "unsatisfactory" or "needs development" must be counseled. Further, he or she will collaborate with the appointing authority to develop a performance improvement plan. This plan will become part of the employee's performance appraisal process for the period July 1, 2017 – June 30, 2018.
6. Generally, we expect employees to move to the midpoint more quickly than they move from the midpoint to the maximum, which is why there are different pay percentages shown in the table below.

2018 base salaries (excluding longevity) will be calculated as follows:

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

Mrs. Marini moved the adoption of the resolution. Seconded by Mr. Smith.

Mr. Groat addressed the Board and pointed out that he feels that the range is off in goals and payment levels for the long-time county employees; and added that these rates that were set by the contracted consultant group and ad-hoc committee are discriminating and they don't make sense.

He advised that due to this discrimination against the long-time employees, lawsuits will erupt.

Mr. Charles Dye, Director of Human Resources was asked to comment where he explained that these ranges have been reviewed in committee and added that this was not a new concept.

Supervisor Smith, a member of the appointed Ad-Hoc committee for the Salary Administration Program and he noted that the county was now in its third full year of this program and this system is much improved from the past.

Mr. Manktelow agreed with Mr. Smith that this system was a definitely an improvement over the last; and concluded that even though it is not perfect, the county must move forward.

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

RESOLUTION NO. 468-17: ADOPTION OF MANAGEMENT AND CONFIDENTIAL POSITION WAGE AND SALARY RANGES FOR 2018

Mr. Manktelow presented the following:

WHEREAS, the Wayne County Local Law No. 2-2014 gives the Board of Supervisors the authority to implement the Salary Plan for Managerial and Confidential employees; and

WHEREAS, the Director of Human Resources recommends that the 2017 Salary Schedule be revised by a cost of living adjustment (COLA) of 1.5% to align the salary schedule with the labor market; now, therefore be it

RESOLVED, that the Board of Supervisors hereby adopts the following wage and salary ranges for the Managerial and Confidential employee group effective January 1, 2018:

2018	Managerial and Confidential		
	Minimum	Midpoint	Maximum
1	\$13.94	\$16.38	\$18.82
2	\$15.76	\$18.51	\$21.27
3	\$17.81	\$20.92	\$24.04
4	\$20.12	\$23.64	\$27.16
5	\$41,380	\$48,621	\$55,863
6	\$46,758	\$54,941	\$63,125
7	\$52,370	\$61,534	\$70,699
8	\$58,654	\$68,918	\$79,184
9	\$65,693	\$77,188	\$88,685
10	\$73,575	\$86,451	\$99,328
11	\$82,405	\$96,825	\$111,247
12	\$92,293	\$108,445	\$124,597
13	\$103,369	\$121,458	\$139,548

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

RESOLUTION NO. 469-17: AUTHORIZATION TO EXECUTE CONTRACT WITH CGI COMMUNICATIONS, INC. FOR COUNTY VIDEO TOUR

Mr. Manktelow presented the following:

WHEREAS the Chairman of the Board of Supervisors and the County Administrator have been contacted by representatives of CGI Communications, Inc. relative to a no-cost opportunity for promotional video(s) to be the County had first prepared in 2014 to be updated and linked to the County website; and

WHEREAS, the Information Technology Department has reviewed the provisions of the contract; and

WHEREAS, CGI Communications will solicit potential sponsors for the video(s) within guidelines approved by the County; and

WHEREAS, sponsor logos will be displayed in the perimeter around the video panel area on the County website; and

WHEREAS, the videos will be produced even if sufficient sponsor participation is not obtained; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute a no-cost exclusive contract with CGI Communications, Inc. for the production and hosting of Wayne County showcase videos subject to the review and approval by the Wayne County Attorney as to form and content; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a letter indicating that CGI Communications is working with Wayne County that will be used to assist in soliciting sponsorships.

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

RESOLUTION NO. 470-17: AUTHORIZATION TO RETAIN LEGAL COUNSEL REGARDING MUNICIPAL LAW §207-c CASES

Mr. Manktelow presented the following:

WHEREAS, the County of Wayne on occasion engages outside legal counsel in the professional service of representing and advising the County regarding legal matters; and

WHEREAS, the County has need for legal assistance in the matter of Municipal Law §207-c cases involving injury to deputies and corrections officers injured in the performance of their duties; and

WHEREAS, the County Attorney has determined that the needs of the Office of the Wayne County Sheriff in handling Municipal Law §207-c cases could be best met by retaining outside legal counsel; and

WHEREAS, the County collective bargaining agreements with the Wayne County Sheriff's Police Officers' Association (Deputies) and the Wayne County Sheriff's Employees Association (Corrections) both contain negotiated §207-c procedures, including appeal procedures, for which the County must maintain effective representation; and

WHEREAS, the county has utilized the services of attorney Kristin Machelor, of the law firm Hamberger & Weiss since 2012, as set forth in Resolution #741-12, and her services have been exemplary; and

WHEREAS, the county has some cases in progress for which Ms. Machelor has been providing legal counsel and representation; and

WHEREAS, Ms. Machelor will be starting her own practice effective October 1, 2017; and

WHEREAS, the County Purchasing Policy treats this as a Professional Service; and

WHEREAS, the County Attorney and the Director of Human Resources have determined that it is appropriate that a "Request for Qualifications" (RFQ) process be implemented to ensure that the County has the best representation for 207-c cases; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a short-term agreement starting October 1, 2017 and ending December 31, 2017 with The Machelor Law Firm to represent the Office of the Wayne County Sheriff in Municipal Law §207-c cases, subject to the approval of the County Attorney; and be it further

RESOLVED, that the County will complete the RFQ process in sufficient time to complete a contract for 207-c litigation counsel starting January 1, 2018.

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

RESOLUTION NO. 471-17: AUTHORIZATION TO RETAIN OUTSIDE LEGAL COUNSEL TO REPRESENT CORRECTIONS OFFICERS IN CONNECTION WITH STATE COMMISSION OF CORRECTIONS INVESTIGATION

Mr. Manktelow presented the following:

WHEREAS, the New York State Commission of Corrections has commenced an investigation into the escape of a Wayne County Jail inmate, pursuant to which the SCOC has issued subpoenas to three (3) Corrections Officers employed with the Office of the Wayne County Sheriff to appear and provide testimony; and

WHEREAS, these three (3) Corrections Officers have been disciplined by the Wayne County Sheriff for their respective actions or inactions which led to the escape of this inmate; and

WHEREAS, Wayne County Local Law No. 6 – 1985 and Local Law No. 2 – 1990 require the County to provide for the defense of an employee in any civil action or proceeding in any state or federal court arising out of any alleged act or omission which occurred or allegedly occurred while the employee was acting within the scope of his public employment or duties in cases where the civil action or proceeding is not brought by or on behalf of the County; and

WHEREAS, the term “civil action or proceeding in any state or federal court” has been defined to include administrative hearings before New York State administrative agencies; and

WHEREAS, the County Attorney has identified a potential conflict of interest making direct representation of the three (3) Corrections Officers through the Office of the Wayne County Attorney inappropriate; now, therefore, be it

RESOLVED, that based upon the potential conflict of interest existing with the Wayne County Attorney’s Office, the County of Wayne shall pay for the services of outside legal counsel to be provided to the three (3) Corrections Officers: John Fioco, Joe Compton and Seth Welch, in the matter of their investigatory interview/testimony to the New York State Commission of Corrections.

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

RESOLUTION NO. 472-17: AUTHORIZATION TO EXECUTE AGREEMENT PERMITTING FINGER LAKES COMMUNITY COLLEGE TO OFFER COURSES IN WAYNE COUNTY

Mr. Manktelow 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 Board of Trustee of Finger Lakes Community College authorizing FLCC to offer college courses in Wayne County during the period 9/1/17-8/31/18, 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. Pagano moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

RESOLUTION NO. 473-17: AUTHORIZATION TO DECLARE THE CHANNING BETE COMPANY AS A SOLE SOURCE VENDOR FOR WAYNE COUNTY PUBLIC HEALTH

Mr. Baldrige presented the following:

WHEREAS, the Channing Bete Company is the publisher, sole creator and supplier of copyrighted Scriptographic booklets and products used for educational purposes; and

WHEREAS, Scriptographic products communicate educational messages to people of all backgrounds, ages, and reading levels in a simplified format; and

WHEREAS, Wayne County Public Health (WCPH) has been unable to find another source that produce the same high quality, simplified educational products for its multitude of

programs; and

WHEREAS, WCPH wishes to declare the Channing Bete Company as a sole source for purchasing its educational materials for many of its programs, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to declare the Channing Bete Company as a sole source for purchasing educational materials as needed for Wayne County Public Health's programs; as per the Wayne County Purchasing Policy and Procedures Manual.

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

RESOLUTION NO. 474-17: AUTHORIZATION TO SOLICIT REQUESTS FOR PROPOSALS FOR MEDICAL AND CENTRAL SUPPLIES FOR THE WAYNE COUNTY NURSING HOME

Mr. Baldrige presented the following:

WHEREAS, the contract with Buffalo Hospital Supply expires December 31, 2017; and

WHEREAS, the Wayne County Nursing Home is desirous of soliciting requests proposals for the provision of medical and central supplies from January 1, 2018 to December 31, 2020; now, therefore, be it

RESOLVED, that the Nursing Home Administrator is hereby authorized and directed to solicit requests for proposals for Medical and Central Supplies from January 1, 2018 to December 31, 2020 in accordance with specifications prepared by the Nursing Home Administrator, and approved by the County Attorney as to content and form.

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

RESOLUTION NO. 475-17: WAYNE COUNTY NURSING HOME PURCHASING COOPERATIVE WITH SEAGATE ALLIANCE (PREMIERE)

Mr. Baldrige presented the following:

WHEREAS, Seagate Alliance (Premiere) is a purchasing cooperative in which the Wayne County Nursing Home is allowed to participate in accordance with the requirements of the General Municipal Law in that Public Health Law, Section 2803-a provides an exception to competitive bidding requirements for Hospitals to engage in group purchasing programs, and Public Health Law, Section 2801 includes County owned Nursing Homes in the definition of the term "Hospital" as used in Public Health Law, Section 2803-a; and

WHEREAS, the Administrator of the Wayne County Nursing Home has signed an agreement with Seagate Alliance (Premiere) on August 30, 2016; and

WHEREAS, this agreement with Seagate Alliance (Premiere) requires the expenditure of county tax dollars in payment of purchases made thereunder, and therefore requires approval of the Wayne County Board of Supervisors; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Administrator of the Wayne County Nursing Home to enter into a cooperative purchasing agreement with Seagate Alliance (Premiere); and be it further

RESOLVED, that the authorization given to the Administrator of the Wayne County Nursing Home shall be retroactive to the date on which the said Administrator signed the agreement with Seagate Alliance (Premiere) on August 30, 2016.

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

RESOLUTION NO. 476-17: AUTHORIZATION TO SUBMIT 2017 NY STATE OFFICE OF CHILDREN AND FAMILY SERVICES RESOURCE ALLOCATION PLAN FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Manktelow presented the following:

WHEREAS, the Department of Aging and Youth receives funding from NY State Office of Children and Family Services to support various youth service programs in Wayne County

WHEREAS, NY State Office of Children and Family Services requires the Chairman of the Board of Supervisors to sign the OCFS Resource Allocation Plan in order to receive the funding, therefore be it

RESOLVED, that the Board of Supervisors authorize the Chairman of the Board to sign the OCFS Resource Allocation Plan for the year 2017.

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

RESOLUTION NO. 477-17: AUTHORIZATION TO CONTRACT WITH WAYNE COUNTY SCHOOL DISTRICTS FOR THE FAMILY AND COMMUNITIES TOGETHER PROGRAM FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Manktelow presented the following:

WHEREAS, the Families and Communities Together (FACT) Program is designed to assist families that have children exhibiting emotional and/or behavioral issues. FACT serves children in grades K through 8. The primary goal of FACT is to prevent out of home placements by providing intensive case management services; and

WHEREAS, ten Wayne County school districts have requested to enter into a contractual agreement with the Department of Aging and Youth for the provision of FACT services, and

WHEREAS, the Department of Aging and Youth agrees to provide FACT services to a specified number children per school district at a sum of \$750.00 per family; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the Department of Aging and Youth for the provision of FACT services with the schools listed below in the amount specified, for the contract year from July 1, 2017 through June 30, 2018, subject to the County Attorney's approval as to form and content.

School	Youth Served	Total Cost
Sodus	10	\$7,500
NR/Wolcott	15	\$ 11,250
Lyons	10	\$ 7,500
Clyde	5	\$ 3,750
Palmyra	10	\$ 7,500
Marion	1	\$ 750
Red Creek	5	\$3,750
Newark	14	\$ 10,500
Williamson	1	\$ 750
Wayne	5	\$3,750
Total	76	\$ 57,000

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

RESOLUTION NO. 478-17: AUTHORIZATION FOR THE DIRECTOR OF THE DEPARTMENT OF AGING AND YOUTH TO SIGN 2017 OFFICE OF FAMILY AND CHILDREN SERVICES BUDGET AMENDMENTS

Mr. Manktelow presented the following:

WHEREAS, the NY State Office of Family and Children Services Resource Allocation Plan stipulates that the Chief Executive may authorize the Youth Bureau Director to sign OCFS Youth Bureau budget amendments; and

WHEREAS, this authorization must be given in writing and filed annually with the State OCFS Regional Office; and

WHEREAS, the Board of Supervisors will still approve all County Budget

modifications by the current procedure; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors authorizes the Director of the Department of Aging and Youth, Penny Shockley, to sign the OCFS budget amendments for the 2017 program year.

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

RESOLUTION NO. 479-17: AUTHORIZATION TO APPOINT YOUTH ADVISORY BOARD MEMBER

Mr. Manktelow presented the following:

WHEREAS, Tracy Migliore, representative of Delphi Drug and Alcohol Prevention Services has agreed to serve on the Youth Advisory Board; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors is hereby appoints Prevention Counselor Tracy Migliore to the Wayne County Youth Advisory Board.

Tracy Migliore
Prevention Counselor
Delphi Drug & Alcohol Council
Lyons Middle/High School
10 Clyde Rd.
Lyons, NY 14489

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

RESOLUTION NO. 480-17: 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 7/1/17-6/30/18 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 \$375,000.

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

RESOLUTION NO. 481-17: AUTHORIZATION FOR THE DEPARTMENT OF SOCIAL SERVICES TO ABOLISH ONE FULL TIME EMPLOYMENT COORDINATOR POSITION AND CREATE ONE FULL TIME SENIOR SOCIAL WELFARE EXAMINER POSITION

Mr. Manktelow presented the following:

WHEREAS, the individual presently in the position of Employment Coordinator has tendered his resignation as of 10/27/17; and

WHEREAS, this position continues to be needed for the effective operation of the Department; and

WHEREAS, with the new structure of the Department of Social Services, which now includes Workforce Development, the present position duties of Employment Coordinator are now more akin to those of a Senior Welfare Examiner; and

WHEREAS, the pay grade and steps of both positions are identical; and

WHEREAS, there would be no budget impact due to a change in title; now, therefore, be

it

RESOLVED, that the position of Employment Coordinator is hereby abolished and a Senior Social Welfare Examiner position is hereby created.

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

RESOLUTION NO. 482-17: AUTHORIZATION TO AMEND 2017 BUDGET FOR THE MENTAL HEALTH DEPARTMENT FOR JAIL INMATE FORENSIC HOSPITALIZATION COSTS

Mr. Baldrige presented the following:

WHEREAS, some individuals who are in the custody of the Sheriff and incarcerated in the Wayne County Jail are involved in a Court proceeding under Article 730 of the Criminal Procedure Law: "Fitness to Proceed", which involves a psychiatric evaluation to determine if the defendant is an incapacitated person; and

WHEREAS, when the defendant is found to be an incapacitated person under the law, the court may order the individual to be sent to a State forensic hospital/institution to undergo restorative treatment; and

WHEREAS, the State and County share a 50% cost for the State hospitalization fees; and

WHEREAS, recently a Wayne County Jail inmate was hospitalized in a NYS Office for People with Developmental Disabilities facility for restorative care for 202 days; and

WHEREAS, Wayne County is responsible for a 50% share of the costs to a total of \$51,503.94; now, therefore, be it

RESOLVED, that the Mental Health Department is authorized to facilitate a payment of \$51,503.94 to the New York State Office for People with Developmental Disabilities; and be it further

RESOLVED, that the Treasurer is authorized to make the following 2017 Budget amendment:

A1990 Contingency General Fund

(Appropriations)

\$47,939.45 from 54000 Contractual Expenses

A4335 Forensic Hospitalization

(Appropriations)

\$47,939.45 to 54571 CPL Costs

Mr. Smith moved the adoption of the resolution. Seconded by Mrs. Marini.

Mr. Baldrige noted that this budget amendment was discussed at the standing committee and a request for verifying the accounts would need to be reviewed. Modifications were made and approved at the Finance Committee, as required.

Upon roll call, adopted.

RESOLUTION NO. 483-17: AUTHORIZATION TO AMEND CONTRACT WITH ICIRCLE SERVICES OF THE FINGER LAKES, INC. FOR THE WAYNE COUNTY NURSING HOME

Mr. Baldrige presented the following:

WHEREAS, Resolution No. 340-14 authorized Wayne County Nursing Home to contract with iCircle Services of the Finger Lakes, Inc. for the provision of Wayne County Nursing Home long term care and outpatient services for the members of iCircle Services of the Finger Lakes, Inc. Medicaid Managed Long Term Care Plans; and

WHEREAS, the Medicaid published benchmark rates that are paid to the Wayne County Nursing Home for long term care and outpatient services provided to members of Medicaid Managed Long Term Care Plans, are determined and posted by the New York State Department of Health; and

WHEREAS, that the Wayne County Nursing Home desires to amend the contract with

iCircle Services of the Finger Lakes, Inc. to include updated verbiage in the contract that will allow for reimbursement to the Nursing Home at the current New York State Department of Health posted Medicaid published benchmark rate, instead of a specific dollar per day rate that was in effect at the time of the signing of the contract; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home accept the Amendment to Agreement for Skilled Nursing Facility Services which becomes effective September 1, 2017 for the provision of long term care and outpatient services to iCircle Services of the Finger Lakes, Inc. members subject to the County Attorney's approval as to form and content.

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

OTHER BUSINESS

Mr. Chatfield moved, seconded by Mrs. Marini that two (2) resolutions be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Crane and Verno. Motion Carried.

RESOLUTION NO. 484-17: AUTHORIZATION TO TRANSFER FUNDS FOR REPAIR OF PUBLIC SAFETY RADIO SYSTEM

Mr. Smith presented the following:

WHEREAS, the Wayne County Public Safety Radio System has a microwave link between sites located in Rose and Wolcott; and

WHEREAS, this link has failed due to an apparent lightning strike; and

WHEREAS, it is necessary to repair the radio system to ensure effective communications; and

WHEREAS, this failure constituted the need for an Emergency Purchase in accordance with Section 103(4) of General Municipal Law; and

WHEREAS, Resolution No. 355-17 has previously declared Finger Lakes Communications Company, Inc. as the single source provider for radio system infrastructure projects; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to transfer the following funds:

A1990 Contingency Fund General

(Appropriations)

\$11,705 from 54000 Contractual Expenses

A3643 Public Safety Communications

(Appropriations)

\$11,705 to 54400 Contracted Services

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

RESOLUTION NO. 485-17: AUTHORIZATION TO AWARD CONTRACT AND AMEND BUDGET TO FOR THE HIGHWAY BUILDING ROOF REPLACEMENT PROJECT

Mr. Miller presented the following:

WHEREAS; the Clerk of the Board of Supervisors has duly advertised for bid(s) for Wayne County Highway Building Roof Replacement Project at 7227 Route 31 in Lyons, NY and the bids were opened on Friday, September 15th, 2017 at 2:00 p.m. and the following bids were received:

<u>Bidders:</u>	<u>Total Base Bid</u>
Elmer Davis Roofing 1217 Clifford Ave Rochester, NY 14621	\$1,096,377.00
J&B Installations Inc 732 Visions Drive	\$1,520,255.00

Skaneateles Falls, NY

Spring Sheet Metal & Roofing **\$1,094,000.00**
678 South Clinton Avenue
Rochester, NY 14620

WCA Roofing & Sheet Metal Co, Inc **\$1,128,000.00**
10 Corporate Circle
PO Box 399
East Syracuse, NY 13057

Cornerstone Restoration Corp **\$ 786,923.00**
45 Nepra Place
Yonker, NY 10704

Grove Roofing **\$1,128,546.00**
135 Fedex Way
Rochester, NY 14624

WHEREAS, the low bidder Cornerstone Restoration Corp out of Yonkers, NY has submitted a "Letter of Withdrawal" requesting to remove their bid from consideration on the project; and

WHEREAS, the bids have come in higher than the anticipated \$1,000,000 project budget leaving a short fall of \$150,000.00 (bid amount plus contingencies), and

WHEREAS, it is important that this project get awarded and started so that it can be completed before the winter weather season; now therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract with Spring Sheet Metal & Roofing for a cost of 1,094,000.00 on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the Wayne County Treasurer is authorized to transfer \$150,000.00 from the General Fund Unassigned Fund Balance; and be it further

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

A9901 Interfund Transfers
(Appropriations)
\$150,000 to 59300 Transfer – County Road Fund

D9999 HWY Other
(Revenues)
\$150,000 to 45031 Interfund Transfers
D5010 Highway Administration
(Appropriations)
\$150,000 to 52763 Roofs

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

EXECUTIVE SESSION:

Mr. Smith moved, seconded by Mrs. Marini that the Board go into Executive Session at 10:01 a.m. to discuss a personnel matter. He further requested that Charles Dye, County Administrator Rick House and County Attorney Dan Connors join the Board for this session. Motion carried.

REGULAR SESSION:

Mr. Chatfield moved, seconded by Mr. Kolczynski that the Board resume regular session at

10:25 a.m. Carried.

Chairman LeRoy announced that there is an Open House today for Midland Asphalt, located on Cole Road, Lyons, and Board members are invited to tour their plant. Lunch will be provided.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, October 17, 2017, 2017 at 9:00 a.m.

Mr. Miller moved, seconded by Mrs. Pagano, that the board adjourn at 10:26 a.m. Carried.

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