

11th Day
Tuesday, October 15, 2019
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 Verno and Deming who were absent this morning.

County Administrator Richard House and County Attorney Daniel Connors were also present.

APPROVAL OF MINUTES:

Mrs. Jacobs moved, seconded by Mrs. Crane, 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 letter was received from the NYS Association of Counties regarding \$20 million to assist homeowners directly impacted by flooding in 2019. Homeowners may apply for up to \$50,000 in state funding to offset damages to their primary residence that occurred between January 1, 2019 and September 30, 2019. Contact information: <https://hcr.ny.gov/lake-ontario-stlawrence-river-flood-relief-and-recovery-grant-program>

A copy of the Petition and Notice of Foreclosure for 2018 Delinquent Town and County taxes was received and filed from the Wayne County Treasurer's Office.

Copy of an adopted resolution was received from the Seneca County Board of Supervisors regarding the endorsement of Blair Morgan for appointment to the Finger Lakes Workforce Investment Board.

Copies of adopted resolutions were received from the Ontario County Board of Supervisors for re-appointments to the Finger Lakes Workforce Investment Board of Robert Nye and Maria Fisher, as well as the appointment of Vicky Ramos.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments including the September 2019 warrants for accounts payable, totaling \$6,140,475.90 was received and filed.

Mr. Kolczynski moved, seconded by Mr. Miller seconded that the October communications be received and filed. Motion carried.

PROCLAMATIONS

Chief Deputy Steve Sklenar from the Wayne County Sheriff's Office introduced Elizabeth to read today's proclamation declaring October as **Domestic Violence Awareness Month in Wayne County.**

On behalf of the Wayne County Board, Wayne County Clerk Michael Jankowski read today's proclamation of appreciation **for Robert Jordan, Regional Manager of Wayne Area Transportation Service, Inc.,** for his 19 years of dedicated service to the residents of Wayne County. Kind words were expressed, both by Mr. Jordan and Board members.

PRIVILEGE OF THE FLOOR:

Chairman LeRoy opened the floor at this time for members of the public to address the Board of Supervisors regarding items listed on the agenda for action.

There was no public comment for agenda items this morning.

Update on Wayne County Shared Services Plan Grant Management Services with Sodus Central School District

Rick House, Wayne County Administrator gave a brief overview of current efforts by the County to meet the Governors shared services initiative in an effort to reduce property taxes. During the current year, the Wayne County Clerk's Office took on a records digitalization project and offered the service to towns and villages; at this time three towns are participating, with the number anticipated to increase in 2020. The County has a panel representing all sectors of property tax entities that met and once again discussed ways to continue the collaboration between local governments and schools. A proposal to increase shared services that will be implemented in 2020 is the utilization of grant management services with the Sodus Central School District. The individual who performs this function for the school district, Jay Roscup, will be providing the County with 15-20 hours a week of time to assist with grant management. The school district in return will be reimbursed \$25,000 for his time. The work Mr. Roscup had done in assisting areas school districts obtain grant funding was noted.

Mr. House introduced Nelson Kise, Superintendent of the Sodus Central School District to discuss the benefits of these shared grant writing services; indicating how it will benefit funding for programs for the Wayne County Youth, Mental Health Agencies and more, serving residents in our communities.

RESOLUTION NO. 492-19: AUTHORIZE 2019 BUDGET ADJUSTMENTS FOR THE 2019 NYS TANF SUMMER YOUTH EMPLOYMENT PROGRAM TO PURCHASE PROGRAM COMPLETION INCENTIVE WALMART GIFT CARDS FOR YOUTH PARTICIPANTS FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Emmel presented the following:

WHEREAS, the Wayne County Department of Social Services was notified by the New York State Office of Temporary and Disability Assistance (OTDA) Department through Local Commissioners Memorandum 19-LCM-05 New York State Summer Youth Employment Program Allocations, of the allocations for the TANF Summer Youth Program; and

WHEREAS, The Wayne County Department of Social Services 2019 Budget was developed prior to receiving our 2019 allocation; and

WHEREAS, the current TANF Summer Youth Employment Budget has excess funds for the Part-Time Employment and Training Counselor salary at program year end, due to start date delay and lower than anticipated hourly rate for 2019; and

WHEREAS, each year every youth employment participant who completes their full job commitment, is awarded an incentive card from Walmart to purchase necessary school supplies; and

WHEREAS, at 2019 program end, Wayne County had 63 youth participants who met this obligation and earned this incentive card; and

WHEREAS, the Wayne County Department of Social Services is requesting authorization to adjust the 2019 TANF Summer Youth Program Budget to move funds from the salary line to the miscellaneous line, so that the cost of the incentive cards can be fully reimbursable from New York State Office of Temporary and Disability Assistance (OTDA); now, therefore, be it

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

A62961 TANF Summer

(Salary)

\$4,000.00 from 51251 Employment and Training Counselor – PT

A62964 TANF Summer

(Appropriations)

\$4,000.00 to 54600 Miscellaneous

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

RESOLUTION NO. 493-19: AUTHORIZATION TO SIGN AGREEMENT WITH CHILD CARING INSTITUTION GLOVE HOUSE FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Emmel 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 Glove House for the time frame 7/1/19-6/30/22 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.

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

RESOLUTION NO. 494-19: AUTHORIZE ENDORSEMENT TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD

Mr. Emmel presented the following:

WHEREAS, the Wayne County Board of Supervisors has authorized the creation of the Finger Lakes Workforce Development Board for the Counties of Wayne, Yates, Seneca, and Ontario in compliance with the Workforce Development Innovation and Opportunity Act of 2014 (replacing the 1998 WIA Act); and

WHEREAS, the Workforce Investment Board At Large Members must be endorsed by the respective Legislative Boards; and

WHEREAS, the Executive Director of Finger Lakes Workforce Development has solicited nominations in accordance with the law; and the following individuals have been nominated for representation and re-endorsement to the WIB Board for the three-year term of 7/1/19 – 6/30/22; and

Robert K. Nye, Ph.D. President Finger Lakes Community College Higher Education
Maria Fisher Field Rep Public Employees Federation Labor Organization

WHEREAS, the Executive Director of Finger Lakes Workforce Development has solicited a nomination in accordance with the law; and the following individual has been nominated for representation and endorsement to the WIB Board to fill the unexpired term of Scott Bischooping through 6/30/21; and

Vicky Ramos District Superintendent Wayne Finger Lakes BOCES Education

RESOLVED, that the above named individuals are hereby endorsed to the terms as defined above; and be it further

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

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

RESOLUTION NO. 495-19: AUTHORIZATION TO ESTABLISH CONTRACT BETWEEN WAYNE BEHAVIORAL HEALTH NETWORK AND MONROE & WEISBROD, LLC.

Mr. Baldrige presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to establish a contract with Monroe & Weisbrod, LCC, for the provision of Locum Tenens Medical Staffing Services; and

WHEREAS, Locum Tenens services are essential for the provision and the continuity of care for psychiatric medical services in times when essential staffing professionals are not readily available and staffing levels are below necessary levels; and

WHEREAS, WBHN at times is in need of Locum Tenens psychiatric medical services and

wishes to continue to have the ability to expeditiously access these services when needed at the discretion of the Director in order to maintain client care, medical safety, and regulatory compliance; now, therefore, be it

RESOLVED, that the Chairman of the Board is authorized to renew said contract including any subsequent contract addendum rate schedules with Monroe & Weisbrod, LLC, for the provision of locum tenens services for the period December 1, 2019 through December 31, 2021, subject to the County Attorney's review as to form and content, and the Director for WBHN will continue to have the discretionary authorization to utilize these services when necessary and within available existing budgeted funds and the Director is authorized to approve the rate addendum schedule which would be established at the time of order.

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

RESOLUTION NO. 496-19: AUTHORIZATION TO RENEW CONTRACT BETWEEN WAYNE BEHAVIORAL HEALTH NETWORK AND STAFF CARE, INC.

Mr. Baldrige presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew and update its contract with Staff Care, Inc. for the provision of Locum Tenens Medical Staffing Services; and

WHEREAS, Locum Tenens services are essential for the provision and the continuity of care for psychiatric medical services in times when essential staffing professionals are not readily available and staffing levels are below necessary levels; and

WHEREAS, WBHN at times is in need of Locum Tenens psychiatric medical services and wishes to continue to have the ability to expeditiously access these services when needed at the discretion of the Director in order to maintain client care, medical safety, and regulatory compliance; now, therefore, be it

RESOLVED, that the Chairman of the Board is authorized to renew said contract including any subsequent contract addendum rate schedules with Staff Care, Inc. for the provision of locum tenens services for the period December 1, 2019 through December 31, 2021, subject to the County Attorney's review as to form and content, and the Director for WBHN will continue to have the discretionary authorization to utilize these services when necessary and within available existing budgeted funds and the Director is authorized to approve the rate addendum schedule which would be established at the time of order.

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

RESOLUTION NO. 497-19: AUTHORIZATION TO EXECUTE CONTRACT WITH ROOM TO BLOOM TO PROVIDE RELATED SERVICES TO CHILDREN WITH HANDICAPPING CONDITIONS

Mr. Baldrige presented the following:

WHEREAS, pursuant to Section 4410 of the Education Law, Wayne County Public Health (WCPH) is required to contract with providers of Related Services for children with handicapping conditions; and

WHEREAS, WCPH wishes to contract with Room to Bloom for the provision of related services for the period of September 1, 2019 to June 30, 2021 for the following services and rates:

- Physical Therapy - \$70/.5hr
- Occupational Therapy - \$70/.5hr
- Speech Therapy - \$70/.5hr
- Group (up to 5) - \$50/.5hr/child
- Coordination of Service - \$20/.5hr

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Room to Bloom for the period of September 1, 2019 to June 30, 2021 for the provision of related services such as: Physical Therapy \$70/.5hr, Occupational Therapy

\$70/.5hr, Speech Therapy \$70/.5hr, Group (up to 5) \$50/.5hr/child and Coordination of Services \$20/.5hr, subject to the approval of the County Attorney as to form and content and meeting insurance requirements.

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

RESOLUTION NO. 498-19: AUTHORIZATION TO EXECUTE CONTRACT WITH JENNIFER BALLIETTE TO PROVIDE RELATED SERVICES TO CHILDREN WITH HANDICAPPING CONDITIONS

Mr. Baldrige presented the following:

WHEREAS, pursuant to Section 4410 of the Education Law, Wayne County Public Health (WCPH) is required to contract with providers of Related Services for children with handicapping conditions; and

WHEREAS, WCPH wishes to contract with Jennifer Balliette for the provision of related services for the period of October 1, 2019 to June 30, 2021 for the following services and rates:

- Speech Therapy - \$70/.5hr
- Group (up to 5) - \$50/.5hr/child
- Coordination of Service - \$20/.5hr

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Jennifer Balliette for the period of October 1, 2019 to June 30, 2021 for the provision of related services such as: Speech Therapy \$70/.5hr, Group (up to 5) \$50/.5hr/child and Coordination of Services \$20/.5hr, subject to the approval of the County Attorney as to form and content and meeting insurance requirements.

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

RESOLUTION NO. 499-19: ADOPTION 2020 SALARY SCHEDULE FOR THE BOARD OF SUPERVISORS AND THE CHAIRMAN OF THE BOARD

Mrs. Crane presented the following:

WHEREAS, the County of Wayne Local needs to establish a salary for members of the Board of Supervisors and the Chairman of the Board of Supervisors for 2020; and

WHEREAS, the Board of Supervisors adopted Resolution No. 527-18 which established a multi-year salary schedule in 2018; and

WHEREAS, the Budget Officer will allocate sufficient funds for the salaries listed below for 2020; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby adopts the following salary schedule for the Board of Supervisors and the Chairman of the Board for the year 2020, effective January 1, 2020:

Supervisors	\$ 16,915
Chairman of the Board	\$ 22,790

Mr. Groat moved the adoption of the resolution. Seconded by Mr. Chatfield. All Supervisors voted Aye, except Supervisors Baldrige who voted Nay. Absent – Supervisors Deming and Verno. The Chairman declared the Resolution adopted.

RESOLUTION NO. 500-19: AUTHORIZATION TO ENTER INTO MEMORANDUM OF AGREEMENT WITH CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. LOCAL 1000, AFSCME, AND LOCAL 859, WAYNE COUNTY GENERAL UNIT 9100-02

Mrs. Crane presented the following:

WHEREAS, the Wayne County Nursing Home has experienced difficulty filling staff vacancies, which has resulted in the necessity for mandating employees to work overtime; and

WHEREAS, the County of Wayne (“County”) and the Wayne County Employees’ Unit of the Civil Service Employees’ Association, Inc. Local 859 (“Association”) have met and agreed to implement certain provisions in an effort to reduce the need for mandated overtime by

maximizing the number of CNAs available to work overtime; now, therefore, be it
RESOLVED, that the above referenced parties hereby agree to the following changes to the respective collective bargaining agreement.

1. If an employee, holds a title in a salary grade level higher than a Certified Nursing Assistant (CNA) (based on hire date) and volunteers to perform the duties of a CNA on a temporary basis, that employee shall be compensated at his/her current rate for all hours worked as a CNA.
2. If an employee holds a title in a lower grade level than a Certified Nursing Assistant (CNA) (based on hire date) and volunteers to perform the duties of a CNA on a temporary basis, that employee shall be compensated at the CNA higher rate of pay for all hours worked as a CNA.
3. All overtime shall be offered to employees holding the title of CNA first and then to employees holding a CNA certification based on seniority.

This agreement does not set any precedent or establish a practice or custom that binds either party beyond its stated terms.

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

RESOLUTION NO. 501-19: AUTHORIZATION TO APPOINT AN INTERIM COUNTY COMPLIANCE OFFICER

Mrs. Crane presented the following:

WHEREAS, the current Wayne County Compliance Officer, Patricia Marini has expressed her desire to resign; and

WHEREAS, the position of Compliance Officer is an integral part of County Government, in that the compliance officer is responsible for confirming that Wayne County is in compliance with all State, Federal and local laws and regulations, adhering to operating principles and policies adopted by the Wayne County Board of Supervisors and Compliance Committee and adhering to any and all provisions of the County Ethics Policy; and

WHEREAS, the Wayne County Human Resource Department posted the vacancy resulting in no applicants; and

WHEREAS, Edward Hunt, Deputy Director of Mental Health has expressed an interest in the additional duties, and

WHEREAS, Mr. Hunt has been active member with Wayne County Compliance for more than twelve years and has an extensive knowledge on compliance related issues; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby appoints Mr. Edward Hunt to the position of Interim County Compliance Officer as of October 18, 2019 at a flat rate of \$13,505 annually to work with current Compliance Officer Patricia Marini to ensure a smooth transfer of duties and to which time a permanent appointment is made.

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

RESOLUTION NO. 502-19: AUTHORIZATION TO DECLARE LEAD AGENCY STATUS FOR SEQR FOR DEMOLITION OF 48 BROAD STREET AND 42 ELMER STREET

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Land Bank intends to complete the demolition of 42 Elmer Street and 48 Broad Street in the Town of Lyons, NY utilizing CDBG funds provided by the County and,

WHEREAS, the Wayne County Land Bank consultant LaBella has requested the County declare itself lead agency status for the completion of SEQR; now, therefore, be it

RESOLVED, that in accordance with the New York State Environmental Quality Review regulations (SEQR), the Wayne County Board of Supervisors announces its intent to serve as Lead Agency to conduct an environmental review of a project to demolish 42 Elmer Street and

48 Broad Street, Lyons, New York, and complete any required site remediation work under Section 617.7 of the New York State Codes, Rules, and Regulations (NYSCR); and be it further

RESOLVED, that the Board of Supervisors has determined that the proposed action is an "Unlisted Action" as defined under SEQR; and be it further

RESOLVED, that the Board of Supervisors, in its capacity of lead agency, has caused to be prepared Part 1 of the Environmental Assessment Form for this project. The Board of Supervisors hereby accepts the environmental assessment of the proposed project prepared by LaBella Associates, D.P.C., dated September 23, 2019; and be it further

RESOLVED, that in accordance with the requirements of the funding agency, the Board of Supervisors will notify the Involved Agencies of its intent to act as Lead Agency for this project and will provide them with a copy of Part 1 of the short Environmental Assessment Form. Comments regarding the Environmental Assessment and the Board's intention to assume Lead Agency status will be received from the Involved Agencies during the 30-day review period.

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

RESOLUTION NO. 503-19: AUTHORIZATION TO ACCEPT FUNDS AND AMEND THE BUILDINGS AND GROUNDS BUDGET

Mr. Miller presented the following:

WHEREAS, the County was informed by Lyons Community Health Initiative Board of reserve funds available for buildings repairs at the Health Services Building on Nye Road in the Town of Lyons; and

WHEREAS, the Lyons Community Health Initiative has stated there is \$89,000 available in this reserve account and has asked the Public Works Department to provide some projects that this could be used on; and

WHEREAS, the Deputy Superintendent of Public Works has suggested these funds should be used on the building heating and cooling system with the replacement of the 2nd boiler that is 25 years old and also the cooling tower; and

WHEREAS, at the August meeting of the Lyons Community Health Initiative the Board approved utilizing the funds for these building repairs and will reimburse the County up to \$89,000; now, therefore, be it

RESOLVED, Wayne County hereby accepts these funds up to \$ 89,000 from the Lyons Community Health Initiative; and be it further

RESOLVED, the Superintendent of Public Works is hereby directed to utilize these funds to make building improvement to the Health Services Building; and be it further

RESOLVED, that the Treasurer is authorized to adjust the Buildings and Grounds budget as follows:

A1615 Buildings & Grounds

(Revenue)

\$89,000 to 42770 Miscellaneous Revenues

(Appropriations)

\$89,000 to 52500 Other Equipment

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

RESOLUTION NO. 504-19: AUTHORIZATION TO AMEND PUBLIC WORKS BUILDINGS & GROUNDS BUDGET FOR COURT HOUSE ROOF REPAIRS

Mr. Miller presented the following:

WHEREAS, it has come to the attention of the Deputy Superintendent of Public Works that the roof coating on the main roof of the Court House is showing severe signs of deterioration and peeling over the past year, and

WHEREAS, the Deputy Superintendent has had the Garland Roof representative out to

inspect the condition and was informed that the roof coating product is only good for 10 years and it is well past its useful life; and

WHEREAS, the manufacturer recommends the roof be cleaned and a new coating be applied which will extend the life of the roof for another 10 years, and

WHEREAS, this recoating work should be performed before the upcoming winter months, and

WHEREAS, The Garland Company participates on the U.S. Communities Purchasing Alliance Co-op in which the County is a member and is able to purchase directly from, and

WHEREAS, Garland has provided the County with a proposed cost of \$207,413 to clean, make any membrane repairs and recoat the main roof of the Court House; and

WHEREAS, this cost was not anticipated nor budgeted in the 2019 Building and Grounds budget, now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to enter into an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with The Garland Company for a cost of \$207,413.00; and be it further

RESOLVED, that the Wayne County Treasurer is authorized to transfer \$207,413 from the General Fund Unassigned Fund Balance; and be it further

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

A1615 Building & Grounds

(Appropriations)

\$207,413 to 52000 (Equipment & Other Cap Outlay)

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

RESOLUTION NO. 505-19: AUTHORIZATION FOR BUILDINGS & GROUNDS TO PURCHASE AN ENCLOSED TRAILER

Mr. Miller presented the following:

WHEREAS, the Buildings and Grounds Department currently has in its fleet a 2000 Ford Step Van truck that is in need of extensive repairs to keep it operational; and

WHEREAS, the current vehicle is somewhat specialized and is not utilized on a regular basis, allowing it to rust and deteriorate; and

WHEREAS, the Buildings and Grounds Department from time to time does have a need for an enclosed box vehicle to move office furniture, County records and other County Department equipment and supplies around the County; and

WHEREAS, the Superintendent of Public Works recommends that an enclosed utility trailer would be more cost efficient and would require less maintenance than another motor vehicle in the Buildings and Grounds fleet; and

WHEREAS, the cost for an enclosed utility trailer would be less than \$9,000.00; and

WHEREAS, the Superintendent of Public Works has identified surplus funds in the Building and Ground equipment line (A1615.52000) from savings on other capital projects to cover this cost; now, therefore, be it

RESOLVED, that Buildings and Grounds is hereby authorized to purchase an enclosed utility trailer at a cost not to exceed \$9,000.

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

RESOLUTION NO. 506-19: AUTHORIZATION TO AMEND THE PRINTING DEPARTMENT BUDGET

Mr. Miller presented the following:

WHEREAS, the Buildings and Grounds Department currently handles the purchasing and distribution of copier paper for County Departments and some of the local towns and villages; and

WHEREAS, most of the 2019 printing budget amount for Account No. A1671.54100 - Supplies and Materials has been expended due to an increase in paper costs; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to adjust the Printing Department budget as follows:

A1671 – Printing Department:

(Revenue)

\$4,000 to 41271 Central Printing Fees

(Appropriations)

\$4,000 to 54100 – Supplies and Materials

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

RESOLUTION NO. 507-19: AUTHORIZATION TO DECLARE VEHICLES SURPLUS IN THE PUBLIC WORKS DEPARTMENT

Mr. Miller presented the following:

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

2015 Ford Explorer SUV (SO 123) VIN 1FM5K8ATXFGA35468 Insurance

2000 Ford Step Van (B&G) VIN 1FCJE39XLYHB41353 Auction

now, therefore, be it

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

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

RESOLUTION NO. 508-19: AUTHORIZATION TO CLOSE COMPLETED 2019 CONSTRUCTION PROJECTS AND AMEND THE PUBLIC WORKS DEPARTMENT 2019 BUDGET

Mr. Miller presented the following:

WHEREAS, various Highway Construction and Bridge Projects have been completed in 2019 and final payments processed; and

WHEREAS, the balance in budgeted projects may be reallocated to other projects; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2019 budget as follows:

D5112-ROAD CONSTRUCTION:

\$12,191.28 from .52634 Pultneyville Hamlet Project

\$93,040.78 from .52636 Ridge Road Recycle Project

\$1,520.90 from .52627 Nye Rd Milling and Paving Project

\$13,208.59 from .52629 Lakeside Rd Milling and Paving Project

\$2,744.66 from .52644 Townline Rd Milling and Paving Project

\$267,293.79 from .52600 Highway Construction

\$390,000 to .52603 Surface Treating Project

and be it further

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

D5112-ROAD CONSTRUCTION:

.52634 Pultneyville Hamlet Project

.52636 Ridge Road Recycle Project

.52627 Nye Road Milling and Paving Project

.52629 Lakeside Road Milling and Paving Project

.52644 Townline Road Milling and Paving Project

Mr. Emmel moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll

ownership of "Majo" to Joseph Roeland for the fee of \$1.00, with no costs to Wayne County taxpayers; now, therefore, be it

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

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

RESOLUTION NO. 512-19: AUTHORIZATION FOR THE WAYNE COUNTY BOARD OF SUPERVISORS TO ENDORSE AMENDMENTS TO THE NYS SAFE ACT

Mr. Verkey presented the following:

WHEREAS, the New York State SAFE Act directs that a Judge who issues a Temporary Order of Protection pursuant to his or her authority under Section 828 of the Family Court Act, or pursuant to article four, five, six, seven or ten of the Family Court Act must also suspend the license to lawfully carry a firearm of the subject of the Order, or otherwise order such person ineligible to possess a firearm license, and must further order the immediate surrender pursuant to subparagraph (f) of paragraph one of subdivision (a) of section 265.20 and subdivision six of section 400.05 of the Penal Law, of any or all firearms owned or possessed where the Court receives information giving the Court "good cause" to believe certain factual predicates exist; and

WHEREAS, Family Court Act, Section 446-a directs that upon the issuance of an Order of Protection, or Temporary Order of Protection, or upon a violation of such order, a Judge must make a determination regarding the suspension and revocation of a license to carry, possess, repair or dispose of a firearm or firearms, ineligibility for such a license, and the surrender of firearms in accordance with Section 842-a of the Family Court Act; and

WHEREAS, the New York State SAFE ACT further added a new Section 9.46 to the New York State Mental Hygiene Law requiring mental health professionals to report to the director of community health services for each county, when such professional determines that a person to whom they provide treatment services, and who is located in that county, is likely to engage in conduct that would result in serious harm to self or others, and this section 9.46 requires the director of community health services to report to the New York State Division of Criminal Justice Services when he or she agrees said person is likely to engage in such conduct; and

WHEREAS, upon receiving such report from a directory of community health services, the New York State Division of Criminal Justice Services must then determine whether the person who is the subject of the report possesses a firearms license, and if so, must notify the appropriate local licensing authority, who then must suspend or revoke the firearms license as soon as practicable, and the person who is the subject of the report must surrender his or her firearms license and all firearms, rifles or shotguns to the licensing authority, and if not so surrendered, police and or certain peace officers are authorized to remove all such weapons; and

WHEREAS, the collective sense of the Wayne County Board of Supervisors renders a conclusion that the provisions set forth in the SAFE ACT for suspension or revocation of firearms licenses and the seizure of firearms, rifles or shotguns in both Domestic Violence situations and in mental health report cases under the Mental Hygiene Law, Section 9.46 fail to provide adequate Due Process safeguards and procedures, and therefore fail to adequately protect the Constitutional rights of the those subjected to its provisions for license suspension or revocation and firearms seizure; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors calls upon the New York State legislature to enact amendments to the New York State SAFE ACT to provide that in each and every situation where firearms, rifles or shotguns are seized and removed from the possession and control of the owner such seizure must be supported by a lawful warrant or court order issued by a court of competent jurisdiction, and which must be issued prior to any search and/or seizure of any firearms, rifles or shotguns; and be it further

RESOLVED, that the Wayne County Board of Supervisors calls upon the New York State legislature to amend the New York State SAFE ACT to specifically provide that any person who shall be the subject of a warrant or court order directing the seizure of firearms, rifles or shotguns, and/or which directs that his or her firearms license shall be suspended or revoked, shall have the right to know the identity of the accuser or person making the factual claims upon which the search/seizure, or suspension/revocation is based; and be it further

RESOLVED, that the Wayne County Board of Supervisors further calls upon the New York State legislature to amend the New York State SAFE ACT to specifically provide that the person who is the subject of a warrant, or other court order directing seizure of firearms, rifles or shotguns, and/or suspending or revoking his or her firearms license shall have a right to a fact-finding hearing to be held before such court not later than thirty (30) days following the date of the execution of the warrant or court order, at which he or she shall have the right to present sworn testimony and/or other relevant evidence and information to the issuing court, and at which he or she shall have a right to legal representation and assistance; and be it further

RESOLVED, that the Wayne County Board of Supervisors further calls upon the New York State Legislature to amend the New York State SAFE ACT to specifically provide that the standard of review to be applied by the court at the hearing referenced above, to be held within thirty (30) days of execution of the warrant or court order, shall apply a presumption that the court shall return the seized firearms, rifles or shotguns and/or restore the suspended or revoked firearms license, unless the court makes a factual determination based upon the record and evidence presented at said hearing that "just cause" exists for continued removal of the firearms, rifles or shotguns, or continued suspension or revocation of the firearms license.

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

RESOLUTION NO. 513-19: AUTHORIZATION TO ACCEPT THE 2018 CYBER SECURITY GRANT, AMEND THE BUDGET AND EXPEND FUNDS

Mr. Verkey presented the following:

WHEREAS, Wayne County has been advised that it has received a 2018 Cyber Security Grant in the amount of \$50,000 with no local match required; and

WHEREAS, this grant program is a Federal Emergency Management Agency grant program administered by the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, this grant will be utilized to purchase software to enhance and sustain Wayne County's cyber security posture, not to exceed \$50,000; and

WHEREAS, grant purchases will be coordinated between the Information Technology Director and the 911 Technology Coordinator; and

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

RESOLVED, that the County of Wayne accepts the 2018 Cyber Security Grant in the amount of \$50,000; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign the required contract documents, subject to the review and approval of the County Attorney; and be it further

RESOLVED, that the Director of Emergency Management or his designee is hereby authorized to purchase the items stated above, in accordance with county purchasing policy; and be it further

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

H3918 Homeland Security

(Revenue)

Amount	Object#	Project ID	Object Name	ProjectName
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\$50,000 to 44302 CSG18 Homeland Security-Federal Cyber Security Grant

2018

(Appropriations)

Amount	Object#	Project ID	Object Name	ProjectName
\$50,000 to	54475	CSG18	Software	Cyber

Security Grant 2018

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

RESOLUTION NO. 514-19: AUTHORIZATION TO ACCEPT NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES GRANT – DISTRIBUTION #9, NYS CONTRACT NUMBER C900054

Mr. Verkey presented the following:

WHEREAS, New York State Office of Indigent Legal Services had advised the County Administrator of the availability of a non-competitive grant in the amount of \$247,713.00 for Indigent Legal Services; and

WHEREAS, Wayne County has received notification that the distribution in the amount of \$247,713.00 has been awarded under Contract Number C900054; and

WHEREAS, the term of said Contract Number C900054 is January 1, 2019 through December 31, 2021; and

WHEREAS, this grant funding shall be used for the following:

- To continue full funding of the salary and benefits of the full-time Sentence Mitigation Specialist, in continuation of the prior funding received for said position by virtue of I.L.S. Distributions #6
- To provide funding assistance for the Wayne Pre-Trial Services, Adult Diversion Program;

now, therefore, be it

RESOLVED, that the County Administrator is authorized to accept said distribution contract and the Chairman of the Wayne County Board of Supervisors is authorized to sign the required contract, subject to the review and approval by the Wayne County Attorney of said Indigent Legal Services Grant Contract.

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

RESOLUTION NO. 515-19: AUTHORIZATION FOR COUNTY TREASURER TO PROCEED WITH THE RELEVY OF UNPAID VILLAGE AND SCHOOL TAXES

Mrs. Pagano presented the following:

WHEREAS, Local Law No. 4(1978) authorizes the relevy of School and Village; now, therefore, be it

RESOLVED, Pursuant to Section 1442 of the Real Property Tax Law and Wayne County Local Law No. 4(1978) that the amount of delinquent 2019-2020 Village and School taxes remaining unpaid as reported by the Wayne County Treasurer, together with 7% of the amount of principle and interest, is hereby re-levied upon the real property on which the same was originally imposed and when collected such re-levied amount shall be returned to the Wayne County Treasurer to reimburse Wayne County of the amounts advanced to the respective Villages and Schools in payment of such taxes.

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

RESOLUTION NO. 516-19: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH GOVERNMENT PAYMENT SERVICES, INC FOR COUNTY CREDIT CARD PROCESSING

Mrs. Pagano presented the following:

WHEREAS, Resolution No. 638-13 authorized the County of Wayne to accept Credit Cards, Debit Cards, and E-Checks as forms of payments; and

WHEREAS, the County had been using Fidelity Information Services through an agreement with JP Morgan Chase Bank; and

WHEREAS, a Convenience fee is charged to the payer by the card processor to ensure the County receive payment in full and no processing fees are paid by the County; and

WHEREAS, the County Treasurer determined it would be in the best interest for the County to do an RFP to determine if Fidelity Information Services is providing the best service to the County and the Taxpayers of Wayne County; and

WHEREAS, an RFP was issued and responses were received from the following Companies:

- Priority Payments Systems Holdings LLC
- PayGov.US
- Systems East, Inc.
- Value Payment Systems LLC
- GovPayNet (Government Payment Services, Inc)
- MSB Payment Processing

and

WHEREAS, after evaluation of the responses GovPayNet was selected; and

WHEREAS, GovPayNet is already providing these services to the County Probation Department (Res No. 239-17) and County Sheriff's Office (Res No. 641-14); now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into an agreement with Government Payment Services, Inc for the processing of Credit Card, Debit Card, and E-Check payments, at no cost to the County.

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

RESOLUTION NO. 517-19: AUTHORIZATION TO ACCEPT PROPOSAL AND EXECUTE CONTRACT FOR INDEPENDENT AUDIT SERVICES FOR WAYNE COUNTY

Mrs. Pagano presented the following:

WHEREAS, the County's Purchasing Policy requires that a Request for Proposals (RFP) is issued for County expenditures totaling more than \$20,000 in a calendar year; and

WHEREAS, the County issued a RFP for the budgeted County expenditure for Independent Audit Services and received responses from three firms; Drescher and Malecki, The Bonadio Group, and Mengel, Metzger, Barr & Co; and

WHEREAS, the following prices were proposed for services:

Firm	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021
The Bonadio Group	\$ 81,400	\$ 83,700	\$ 86,000
Drescher and Malecki	\$ 85,000	\$ 86,700	\$ 88,434
Mengel, Metzger Barr & Co.	\$ 98,650	\$100,450	\$103,500

WHEREAS, a group consisting of the County Auditor, County Treasurer, and Director of Administrative Services at the Department of Social Services evaluated the three proposals for experience providing similar services within New York State, experience with Nursing Home audits, proposed work plan to accomplish required services, as well as some other criteria; and

WHEREAS, it is the recommendation of the group to engage The Bonadio Group to audit the County and Nursing Home for fiscal year 2019, with options to renew for fiscal years 2020 and 2021; now, therefore, be it

RESOLVED, that the proposal received from The Bonadio Group is hereby accepted; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract with The Bonadio Group subject to the approval of the County Attorney.

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

RESOLUTION NO. 518-19: AUTHORIZATION TO AMEND THE 2019 BUDGET FOR SUPPLEMENTAL MEDICAID UPPER PAYMENT LIMIT (UPL) PAYMENTS AND AFFIRM PAYMENT

Mrs. Pagano presented the following:

WHEREAS, Wayne County has been informed that monies will be made available for supplemental Medicaid Upper Payment Limit (UPL) payments to public nursing facilities, one of which is the Wayne County Nursing Home; and

WHEREAS, the Wayne County Nursing Home supplemental payment amount is for State fiscal year 2019-2020 for a total of \$5,183,129 of which one half will be distributed in the Fall of 2019 and the other half in the Spring of 2020; and

WHEREAS, the payment is based on the facility's reported Medicaid days divided by the total Medicaid days for the calendar year 2017; and

WHEREAS, each county is responsible for transferring the local share of 50% to the State prior to the corresponding 100% payment being released to the County Nursing Home; and

WHEREAS, the 2019 Wayne County Budget did not anticipate the Medicaid Upper Payment Limit Payment to the Wayne County Nursing Home, or a County Appropriation for the County 50% local share payment to the State; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to transfer \$1,295,782.25 from the General Fund Unassigned Fund Balance; and be it further

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

A6102 MMIS Medical Assistance

\$1,295,782.25 to 54000 Contractual Expenses

and be it further

RESOLVED, that the County Treasurer is authorized to pay the non-federal share on the date specified by the New York State Medicaid Financial Management Office.

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

RESOLUTION NO. 519-19: ESTABLISHING A DATE FOR PUBLIC HEARING ON THE 2020 WAYNE COUNTY TENTATIVE BUDGET

Mrs. Pagano presented the following:

WHEREAS, the Tentative Budget for the County of Wayne for the fiscal year beginning January 1, 2020, will be presented to the Board of Supervisors by November 15, 2019; now, therefore, be it

RESOLVED, pursuant to Section 359 of the County Law of the State of New York as follows:

SECTION 1. A public hearing on the tentative budget shall be held in the Supervisors' Chambers at the County Court House, 26 Church Street, Lyons, New York, on **Tuesday, December 3, 2019 at 7:05 pm.** Copies of the tentative budget on which the public hearing will be held, will be available in the Clerk of the Board of Supervisors' office after November 15, 2019 and may be inspected or procured therein by any interested person during business hours.

SECTION 2. At least five (5) days' notice of such hearing shall be given by the Clerk of the Board of Supervisors by posting such notice on the bulletin board in the County Court House and by publication of such notice in the official newspapers of the County.

SECTION 3. The notice of public hearing shall include a statement of maximum salary that may be fixed and payable during said fiscal year to the members of the Board of Supervisors and the Chairman, respectively.

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

RESOLUTION NO. 520-19: SETTING DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR WAYNE COUNTY FOR 2020 AND AUTHORIZING THE ADOPTION OF A BUDGET FOR 2020 THAT REQUIRES A TAX LEVY GREATER THAN THE TAX LEVY LIMIT FOR THE 2020 FISCAL YEAR

Mrs. Pagano presented the following:

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on Tuesday, November 19, 2019 at 9:05 a.m. in the Supervisors' Chambers in the County Court House, Lyons, New York, on the following proposed law:

**COUNTY OF WAYNE - STATE OF NEW YORK
INTRO NO. 5/LOCAL LAW NO. ____ FOR THE YEAR 2019**

A Local law overriding the tax levy limit for Wayne County for 2020 and authorizing the adoption of a budget for 2020 that requires a tax levy greater than the tax levy limit for the 2020 fiscal year

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

SECTION 1. LEGISLATIVE FINDINGS AND PURPOSE

- a. By Chapter 97 of the Laws of 2011, effective June 24, 2011, codified as Section 3-c of the General Municipal Law, the State of New York imposed upon counties and other local governments and school districts, with certain exceptions, a two percent limit on the annual increase in the amount of real property taxes that may be levied by or on behalf of such entities.
- b. General Municipal Law Section 3-c (6) provides that if a local government's actual tax levy for a given fiscal year exceeds the tax levy limit, as determined by the State Comptroller, the local government must place the excess amount of the levy in reserve and use such funds to offset the tax levy for the ensuing fiscal year.
- c. General Municipal Law Section 3-c (5) provides that a local government may adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year only if the governing body first enacts, by a vote of 60 percent of the total voting power, a local law to override such limit.
- d. Due to the cost of State mandated programs and services the Wayne County Board of Supervisors has been forced to authorize the override of the State imposed tax cap in order to have sufficient funds to protect the well-being of the citizens of Wayne County and provide essential local public health, safety, and infrastructure programs and services.
- e. Mandated State programs and services include Medicaid, Public Assistance, Child Welfare, Pre-School Special Education, Indigent Defense, Early Intervention, Youth Detention and Pension Costs. These State mandated programs and services must be paid first before local taxes may be used for County purposes.
- f. Wayne County can effectively implement a property tax cap only if there is a meaningful action by the State of New York to control the cost of State Mandated Programs and Services and provide mandate relief.
- g. The purpose of this local law is to comply with the requirements of General Municipal Law §3-c prior to adopting the 2020 County Budget.

SECTION 2. BUDGET AUTHORIZATION

The Wayne County Board of Supervisors hereby overrides the tax levy limit for Wayne County for 2020 and authorizes Wayne County to immediately adopt a budget for 2020 that requires a tax levy that is greater than the tax levy limit calculated for 2020 pursuant to §3-c of the General Municipal Law.

SECTION 3. SEVERABILITY

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any

reason declared unconstitutional, or invalid, or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law which shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE

This local law shall take effect immediately upon passage by this Legislative Body.

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

Mr. Spickerman said he objected to the Board taking this action. Mr. Blake said the County may not need to take this action, but the request needs to be in place in case the tax cap is to be exceeded. Mr. Spickerman said this is another reason he does not think the action is necessary; the Board has no intention of exceeding the tax cap. He said the County knows what they are doing financially and needs to give more time to reducing expenses, not spending the money to hold a public hearing. Mr. Baldridge agreed with Mr. Spickerman on this matter.

Mrs. Crane said the Governor should not have the authority to mandate a property tax cap on municipalities when the State does not observe the same rule. She believes the Board will not exceed the sale tax cap; however, would like to see them prepared if it occurs.

Mr. Robusto said his town passes a similar resolution every year in case they need to exceed the State tax cap; however, it is not often needed.

Upon roll call, all Supervisors voted Aye, except Supervisors Spickerman and Baldridge who voted Nay. Absent – Supervisors Deming and Verno. The Chairman declared the Resolution adopted.

Chairman LeRoy took this opportunity to welcome Mr. Thomas Crowley and the Newark Government Class to today's Board meeting.

RULE 14 RESOLUTION

RESOLUTION NO. 521-19: AUTHORIZATION TO PURCHASE MONITOR-DEFIBRILLATOR FROM THE TOWN OF GALEN

Mr. Verkey presented the following:

WHEREAS, for the past few years, Wayne County Advanced Life Support has utilized a Physio-Control Lifepak 15 cardiac monitor-defibrillator owned by the Town of Galen on a daily basis for its countywide advanced life support operation, and

WHEREAS, the monitor-defibrillator is no longer needed by the Town of Galen for its own EMS operation, resulting in the Galen Town Board choosing to offer the unit to the County to purchase at a cost of \$15,000, as expressed in correspondence from Galen to the Public Safety Committee of the Board of Supervisors, and

WHEREAS, the unit is equivalent to the other monitor-defibrillators owned by the County, and operated by the Paramedics of Wayne County Advanced Life Support, and

WHEREAS, new, similarly equipped Lifepak 15's can still be purchased, at a cost of over \$30,000, and

WHEREAS, funding for this purchase is appropriated within the A3644 ALS Services 2019 budget; now, therefore, be it

RESOLVED, that the purchase of one Physio-Control Lifepak 15 monitor-defibrillator, serial number 42070811, from the Town of Galen, is hereby authorized, at a cost of \$15,000.

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

EXECUTIVE SESSION

Mrs. Crane moved, seconded by Mr. Miller that the Board go into Executive Session to discuss contract negotiations at 9:40 a.m. Motion carried.

REGULAR SESSION

Mr. Kolczynski moved, seconded by Mr. Miller that the Board resume regular session at 9:54 a.m. Motion carried.

OTHER BUSINESS

Mr. Chatfield moved, seconded by Mr. Kolczynski that seven (7) resolutions be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Deming and Verno. Motion Carried.

RESOLUTION NO. 522-19: SET DATE FOR PUBLIC HEARING ON LOCAL LAW AMENDING THE LONGEVITY PAYMENT SCHEDULE FOR NON-ELECTED COUNTY OFFICERS AND EMPLOYEES NOT SUBJECT TO COLLECTIVE BARGAINING AGREEMENTS

Mrs. Crane presented the following:

WHEREAS, pursuant to Local Law No. 7-1984, the Wayne County Board of Supervisors adopted a local law that established a longevity payment schedule for full-time, non-elected County Officers and employees not subject to collective bargaining agreements; and

WHEREAS, said Local Law has been amended several times since it was established to allow for adjustment to the payment schedule, as well as establishing longevity rates for certain managerial titles within the Office of the Sheriff; and

WHEREAS, the longevity amounts established under section 1(a), as amended by Local Law No. 5-2014, became effective January 1, 2014 and have not been revised since; and

WHEREAS, it is the desire of the County that non-elected County Officers and appointed Managerial and Confidential employees not subject to collective bargaining be paid at a longevity schedule recommended by the Pay Plan Committee; and

WHEREAS, the rates within Section 1(b) of Local Law No. 3-1998, pertaining to the Office of the Sheriff, will remain unchanged and in effect as previously adopted; now, therefore, be it

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law, the Board of Supervisors shall hold a public hearing on **Tuesday, November 19, 2019, at 9:10 a.m.** in the Supervisors' Chamber in the Wayne County Court House, Lyons, New York, on the following proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK
INTRO NO 6/LOCAL LAW NO. ___ FOR THE YEAR 2019**

A local law amending the longevity payment schedule for non-elected County Officers and employees not subject to collective bargaining agreements, as established by local law No. 7-1984 and amended by Local Law No. 1-1986, Local Law No. 5-1988, Local Law No. 5-1993, Local Law No. 1-1994, Local Law No. 3-1994, Local Law No. 4-1995, Local Law No. 1-1998, Local Law No. 3-1998, Local Law No. 3-2001 and Local Law No. 5-2014.

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

SECTION 1.

Section 1 of Local law No. 7-1984 entitled "A Local law Establishing Longevity Payment Schedule for Non-Elected County Officers and Employees not Subject to Collective Bargaining Agreements", as amended by Local Law No. 1-1986, Local Law No. 5-1988, Local Law No. 5-1993, Local Law No. 1-1994, Local Law No. 3-1994; Local Law No. 4-1995, Local Law No. 1-1998, Local Law No. 3-1998, Local Law No. 3-2001 and 4-2014 is hereby amended to read as follows:

"Section 1.

- (a) Except as provided in subdivision (b) of Local Law No. 3-1998 as amended, effective from and after January 1, 2020 and continuing annually thereafter, all full-time, non-elected County officers and employees not subject to collective bargaining agreements shall receive, in addition to adopted salary, longevity payments upon completion of 5, 7, 10, 13, 16, 20, 25 and 30 years of full-time continuous service with the County in accordance with the following schedule:

2020

After 5 years	\$ 425
After 7 years	\$ 625
After 10 years	\$1,075
After 13 years	\$1,500
After 16 years	\$1,750
After 20 years	\$2,250
After 25 years	\$3,000
After 30 years	\$5,000

- (b) Effective from and after July 1, 1998, and continuing annually thereafter, the Undersheriff and Chief Deputy of the Wayne County Sheriff's Department shall receive in addition to adopted salary schedules, longevity payments upon completion of 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23 years of full-time continuous service with Wayne County in accordance with the following schedule:

After 5 years	1% of adopted salary
After 6 years	1.5% of adopted salary
After 7 years	2% of adopted salary
After 8 years	2.5% of adopted salary
After 9 years	3% of adopted salary
After 10 years	3.5% of adopted salary
After 11 years	4% of adopted salary
After 12 years	4.5% of adopted salary
After 13 years	5% of adopted salary
After 14 years	5.5% of adopted salary
After 15 years	6% of adopted salary
After 16 years	6.5% of adopted salary
After 17 years	7% of adopted salary
After 18 years	7.5% of adopted salary
After 19 years	8% of adopted salary
After 20 years	8.5% of adopted salary
After 21 years	9% of adopted salary
After 22 years	9.5% of adopted salary
After 23 years	10% of adopted salary."

SECTION 2.

This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof in the manner provided by law.

SECTION 3.

This amended local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2020.

Mr. Baldrige moved to Table this resolution, seconded by Mrs. Jacobs. Upon roll call, all Supervisors voted Nay to Table, except Supervisors Baldrige and Jacobs supporting the motion. Absent Supervisors Deming and Verno. The Chairman declared the motion defeated.

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

call, all Supervisors voted Aye, except Supervisors Baldrige and Jacobs who voted Nay. Absent – Supervisors Deming and Verno. The Chairman declared the Resolution adopted.

RESOLUTION NO. 523-19: ADOPTION OF REVISED IMPLEMENTING PROCEDURES FOR MANAGERIAL AND CONFIDENTIAL EMPLOYEES SALARY PLAN

Mrs. Crane presented the following:

WHEREAS, the Board of Supervisors adopted Resolution No. 254-14 establishing a local law to adopt the Salary Plan for Managerial and Confidential employees not subject to collective bargaining agreements, and

WHEREAS, the Salary Plan must be implemented consistently, and be understood by all employees in the Managerial and Confidential employee group, and

WHEREAS, policy and procedure will guide the County in maintaining equitable salaries within the Managerial and Confidential employee group, now, therefore be it

RESOLVED, that the Board of Supervisors hereby adopts the following Salary Review Guidelines revisions and the 20 step salary plan (attached); and be it further

RESOLVED, that Resolution No. 388-14 is hereby rescinded.

SALARY REVIEW GUIDELINES FOR MANAGERIAL AND CONFIDENTIAL EMPLOYEES

Establishing a starting Salary or Wage (new hire):

Each position (job classification or job title) in the Managerial and Confidential employee group has been evaluated and placed in the established pay grade. Whenever such a position has become vacant and the County Administrator has given approval for the position to be filled, a new employee will be placed in a rate of not less than the minimum established for the pay grade. County Administrator has approval of the Board to approve up to but not greater than step 4 which equals halfway between the minimum and the midpoint for the established range. Above step 4 will require full Board of Supervisor approval.

Several factors must be considered:

1. If the candidate only meets the minimum qualifications, the pay rate should be at the minimum
2. If the candidate has qualifications that exceed the minimum, the pay rate may exceed the minimum.
3. The proposed starting rate will be compared with the salaries of employees in similar County positions to maintain an equitable salary relationship between the new hire and more experienced employees.

The County Administrator must approve any salary prior to an employment offer being made to a candidate.

Relationship of Salary to Minimum – Midpoint - Maximum:

The competitiveness of the Wayne County Salary Structure is assessed annually, based on survey data and, to some extent, on the annual increase of the Consumer Price Index (CPI).

If there is evidence of a change in general salary levels, salary ranges are adjusted according to the program's objectives and Wayne County's ability to pay. These adjustments do not change the grades to which positions are assigned and do not result in automatic changes in individual salaries.

- Individuals hired between Minimum and Midpoint will receive COLA adjustments established by the Wayne County Board of Supervisors on January 1st (or approved date) and an additional step increase on anniversary date of appointment to current position until reaching established Midpoint.

- New Appointments hired at Midpoint or above will stay within that step until they have completed one full year or longer until they are eligible to receive the January 1st step increases, however, they will be eligible for the approved COLA adjustment.
- Individuals at Midpoint or above will receive a Step increase on January 1st yearly (or approved date by Board of Supervisors) until which time Maximum step is reached.
- Individuals reaching the Maximum step with assigned grade will receive the annual COLA increase established yearly by the Wayne County Board of Supervisors.

Performance Evaluations:

Annual Performance Appraisals will be conducted for the period of July 1st through June 30th of each year for employees that fall under this Salary Administration Plan. The County Administer shall conduct Department Head reviews and Department Heads will conduct reviews for subordinates. All employees must complete a "Self-Appraisal" form which will be used for reviewing of accomplishments and setting goals for the following 12 month period (July 1 to June 30 the following year).

The appropriate Performance Appraisal Form will be completed and reviewed with each employee.

Relationship of Salary to Performance:

If an employee receives Unsatisfactory or Needs Development the employee **will not** receive the annual step increase. A Performance Improvement Plan will be implemented that must include an identification of the performance area in which the employee needs to develop; specific steps to facilitate this development and the criteria that will be used to measure progress.

1	Unsatisfactory	Performance is consistently below expectations. A Performance Improvement Plan is required to address performance deficiencies and remain in current position.
2	Needs Development	Results achieved demonstrate a need for development in one or more requirements of the position. Acceptable performance must be more consistent to be evaluated as <i>Meets Expectations</i> . A Performance Improvement Plan is required to address areas identified as needing development.
3	Meets Expectations	Performance consistently meets the high expectations of Wayne County and satisfies job requirements. Performance is what you would expect from an overall competent employee.
4	Exceeds Expectations	Performance consistently meets, and occasionally exceeds, the high expectations of Wayne County. This rating may be used when the employee exceeded most of the critical targets and met all the others.
5	Exemplary Performance	Performance consistently exceeds the high expectations of Wayne County. Employee's performance would be considered exemplary.

Salary adjustments:

Salary adjustment may be required under certain additional circumstances, such as promotion, reevaluation of title, or transfer.

Promotional Increases:

Generally, any promotion will involve moving from one pay-grade to a higher, pay grade. Several factors will be considered in establishing the starting salary in the higher pay grade:

1. The employee's current pay rate.
2. The established range in the higher pay rate.
3. The current pay ranges of the employee's subordinates

The amount of the increase depends upon several factors:

- *Relationship to Subordinates' Salaries* – Usually the salary resulting from a promotion should exceed the salary paid to any direct subordinate. As a general guide, a minimum differential of at least ten percent (10%) should exist between the salary of a supervisor and that of the supervisor's subordinates.

Exceptions to this guide include:

1. A subordinate's position requires a **higher level** of education and/or experience than that required of the Department Head (e.g., doctoral degree, license to practice medicine, professional engineering license).
 2. When there are several layers of Supervision within the Department (e.g., Mental Health, Sheriff Office, Social Services, Nursing Home)
 3. A subordinate's experience is very unique and/or rare, making recruitment difficult (e.g., highly specialized or skilled positions).
 4. Continuous years of service within the County of a subordinate staff member within department may result in subordinate higher salary.
- *Loss of Overtime Eligibility* – Certain promotions may take an employee from a position that is eligible for overtime payment to one that is "exempt." The loss of potential income from overtime should be considered when determining the size of a promotional increase.

Reevaluation of Title:

In rare instances, a position title may be reevaluated in light of significant changes in responsibility, content, or authority. In no event shall a Department Head allow or assign out-of-title work. Any such proposed change in duties must be reviewed and approved by County Civil Service. In addition, the County Administrator and the Board of Supervisors must give advance approval of any major change in job duties. If these advance approvals have been received, the title may be reassigned to a lower or higher pay grade based on review and recommendation from HR Public Sector.

1. An employee whose position has been reassigned to a higher pay grade may be treated as having received a promotion.
2. An employee whose position has been reassigned to a lower pay grade may be treated as having received a demotion.

Transfer:

An employee is considered transferred when he/she is placed in another job title having the same pay grade level, either in his/her current department or in a different one. In these circumstances, since there is no change in pay grade, no salary change will be allowed. In addition, no change will be made in performance review period dates.

Salary Plan Committee:

The Chairman of the Board of Supervisors has established a Salary Plan Committee to review and make recommendations to the Board. Responsibilities may include but are not limited to:

- Review of the adopted salary structure
- Review of requested salary offers to new employees or promoted employees where the range may be higher than the approval process allowed by the County Administrator. This process must be done prior to requests made to standing committees.
- Review of current placement of grade for positions.

Attachments: **MANAGERIAL CONFIDENTIAL 2020 ADOPTED 20 STEP PLAN:**
(see next page)

MANAGERIAL CONFIDENTIAL 2020 ADOPTED 20 STEP PLAN:

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	MAXIMUM
MINIMUM	\$14.69	\$15.03	\$15.38	\$15.74	\$16.10	\$16.48	\$16.86	\$17.26	\$17.44	\$17.63	\$17.82	\$18.01	\$18.40	\$18.60	\$18.80	\$19.00	\$19.20	\$19.41	\$19.62	\$19.83
2	\$16.60	\$16.98	\$17.38	\$17.78	\$18.20	\$18.62	\$19.06	\$19.50	\$19.71	\$19.92	\$20.13	\$20.35	\$20.79	\$21.01	\$21.24	\$21.47	\$21.70	\$21.93	\$22.16	\$22.40
3	\$18.75	\$19.19	\$19.64	\$20.09	\$20.56	\$21.04	\$21.53	\$22.03	\$22.27	\$22.51	\$22.75	\$23.00	\$23.49	\$23.74	\$24.00	\$24.26	\$24.52	\$24.78	\$25.05	\$25.32
4	\$21.19	\$21.68	\$22.19	\$22.71	\$23.24	\$23.78	\$24.33	\$24.90	\$25.17	\$25.44	\$25.71	\$25.98	\$26.55	\$26.83	\$27.12	\$27.41	\$27.70	\$28.00	\$28.30	\$28.61
5	\$43.580	\$44.596	\$45.636	\$46.699	\$47.788	\$48.902	\$50.041	\$51.207	\$51.757	\$52.312	\$52.874	\$53.442	\$54.595	\$55.181	\$55.774	\$56.372	\$56.978	\$57.589	\$58.208	\$58.834
6	\$69.245	\$50.393	\$51.568	\$52.770	\$54.000	\$55.258	\$56.546	\$57.864	\$58.485	\$59.113	\$59.747	\$60.389	\$61.692	\$62.355	\$63.024	\$63.700	\$64.384	\$65.076	\$65.774	\$66.482
7	\$55.155	\$56.441	\$57.756	\$59.103	\$60.480	\$61.890	\$63.332	\$64.807	\$65.503	\$66.206	\$66.917	\$67.635	\$68.095	\$68.837	\$70.587	\$71.345	\$72.110	\$72.885	\$73.667	\$74.459
8	\$61.773	\$63.213	\$64.687	\$66.194	\$67.737	\$69.316	\$70.931	\$72.584	\$73.363	\$74.151	\$74.947	\$75.751	\$77.386	\$78.217	\$79.057	\$79.905	\$80.763	\$81.630	\$82.507	\$83.395
9	\$69.187	\$70.799	\$72.450	\$74.138	\$75.866	\$77.634	\$79.444	\$81.294	\$82.167	\$83.049	\$83.940	\$84.841	\$86.673	\$87.603	\$88.544	\$89.494	\$90.455	\$91.426	\$92.407	\$93.402
10	\$77.489	\$79.295	\$81.143	\$83.034	\$84.969	\$86.950	\$88.976	\$91.049	\$92.027	\$93.014	\$94.013	\$95.022	\$97.073	\$98.115	\$99.169	\$100.233	\$101.309	\$102.397	\$103.496	\$104.611
11	\$86.788	\$88.810	\$90.880	\$92.999	\$95.166	\$97.384	\$99.654	\$101.975	\$103.070	\$104.176	\$105.295	\$106.425	\$108.722	\$109.889	\$111.089	\$112.261	\$113.467	\$114.685	\$115.916	\$117.164
12	\$97.202	\$99.467	\$101.786	\$104.158	\$106.586	\$109.070	\$111.612	\$114.213	\$115.439	\$116.678	\$117.931	\$119.197	\$120.476	\$123.077	\$124.398	\$125.734	\$127.083	\$128.448	\$129.826	\$131.223
13	\$108.867	\$111.404	\$114.001	\$116.658	\$119.377	\$122.159	\$125.006	\$127.918	\$129.292	\$130.680	\$132.083	\$133.500	\$134.934	\$136.382	\$139.326	\$140.822	\$142.334	\$143.862	\$145.406	\$146.970

Mrs. Pagano moved the adoption of the resolution. Seconded by Mr. Emmel. Upon roll call, all Supervisors voted Aye, except Supervisors Baldrige and Jacobs who voted Nay. Mr. Groat Abstained from voting. Absent – Supervisors Deming and Verno. The Chairman declared the Resolution adopted.

RESOLUTION NO. 524-19: ADOPTING 2020 SALARY SCHEDULE FOR COUNTY OFFICERS AND DEPARTMENT HEADS

Mrs. Crane presented the Following:

WHEREAS, the Government Operations Committee has reviewed and adopted the 2020 step salary plan, for County Officers and Department Heads and is recommending them to the Board of Supervisors; now, therefore be it

RESOLVED, that the Board of Supervisors hereby adopts the following schedule for certain County Officers and Department Heads for the year 2020, effective January 1, 2020 and any additional anniversary steps throughout 2020:

NAME	TITLE	SALARY
COUNTY OFFICERS – Term Elected		
Calarco	Michael \$200,400	District Attorney *
Schmitt	Patrick	Treasurer *
Jankowski	Michael	County Clerk *
Virts	Barry	Sheriff *
COUNTY OFFICERS – Term Appointed		
House	Rick	County Administrator
Connors	Daniel	County Attorney
Correia	Andrew	Public Defender
Rooney	Kevin	Superintendent of Public Works
Wayne	Ellen	Commissioner of Social Services
Kalinski	Christine	Human Resources Director
Scott	Kristen	County Auditor
Ambroz	Karen	Director of RPTS
Alquist	Mark	Election Commissioner
Zornow	John	Election Commissioner
DEPARTMENT HEADS – Appointed		
Devlin	Diane	Director of Public Health
Haitz	James	Director of Mental Health
Pincelli	Brian	Dir of Economic Develop & Planning
Vinnik	Denis	Nursing Home Administrator
Ury	Matt	Director of Information Technology
Ameele	Mark	Director of Probation
Bastedo	George	Director of Emergency Management
Shockley	Penny	Director of Aging & Youth
Worth	Christine	Director of Tourism & Promotion
Eldridge	Jason	Director of Veterans Services
Molisani	Richard	Director of Weights & Measures

and be it further

RESOLVED that those salaries listed herein that are required to be adjusted by Local Law shall become effective pursuant to the Local Law.

Mr. Miller moved the adoption of the resolution. Seconded by Mrs. Pagano. Upon roll call, all Supervisors voted Aye, except Supervisors Baldrige and Jacobs who voted Nay.

Absent – Supervisors Deming and Verno. The Chairman declared the Resolution adopted.

RESOLUTION NO. 525-19: ADOPTING 2020 SALARY SCHEDULE FOR SPECIFIED COUNTY MANAGERIAL EMPLOYEES NOT SUBJECT TO COLLECTIVE BARGAINING AGREEMENTS

Mrs. Crane presented the following:

WHEREAS, the Government Operations Committee has determined 2020 wages for managerial employees not subject to collective bargaining agreements and is recommending them, in the schedule below, to the Board of Supervisors; and

WHEREAS, any employee listed whose current rate is below the established midpoint Step 7 will also include a step increase on anniversary date of appointment to current position; now, therefore be it

RESOLVED, that the Board of Supervisors hereby adopts the following schedule for County Managerial Employees not subject to collective bargaining agreements for the year 2020 effective January 1, 2020.

NAME	TITLE	SALARY
Callanan	Christine Assistant DA FT First	\$93,014
Duguay	Kimberly Assistant PD FT First	\$98,115
Fosdick	Jeffrey Undersheriff	\$99,169
Bennett	Gary Social Services Attorney	\$104,611
Bentley	Shelly Deputy Social Services Commissioner	\$94,013
White	Shane Deputy Director of Public Health	\$70,799
Thomas	Christopher Sr. Program Supervisor	\$75,866
Rivera	Coriza Deputy Director of Probation	\$72,450
Sklenar	Stephen Chief Deputy	\$92,407
Ambeau	David Correction Major	\$89,494
Isaac	Sandra Director of Nursing-NH	\$90,455
Kolczynski	Scott Deputy Superintendent PW	\$81,294
Lee	James ALS Director	\$84,841
Blake	Kenneth Fiscal Assistant	\$87,603
Alawneh	Dina Assistant PD FT	\$67,737
Bruzee	Christopher Program Supervisor	\$66,194
Kadien	Scott Assistant DA FT 4th	\$73,363
Tantillo	Matthew Assistant DA FT	\$ 79,905
Keefe	Barbara Comptroller-NH	\$75,751
Castellano-Gates	Jamie Program Supervisor	\$66,194
McCormick	Jacqueline 2nd Assistant DSS Attorney	\$73,363
Gilsenan	John Assistant PD FT	\$72,584
Ersteniuk	Eileen Supervising Social Worker	\$64,687
Smith	Kelly Supervising Social Worker	\$64,687
Shipley	Abigail Director of Administrative Services	\$64,687
Boughton	Wanda Assistant Director of Nursing	\$74,947
Hanna	Arline Assistant PD FT	\$74,151
Maure	Heather 1st Assistant DSS Attorney	\$75,751
Dault	Griffin Assistant PD FT	\$63,213
Petrus	Andrea Dep Director IT	\$76,564
Blair	Michelle Residential Services Director	\$69,316
Rosekrans	Bruce Assistant DA FT 3rd	\$74,151
Hammond	Erin Assistant County Attorney	\$75,751
DeWolf	Greg E911 Operations Manager	\$76,564
Hunt	Edward Deputy Director of Mental Health	\$76,564
Frey	Brian Assist Engineering Manager-Highways	\$77,386
Sams	Brian Self-Insurance Specialist	\$56,441

Riggs	Michelle	Coordinator of Nurse Training	\$69,837
Wizeman	Timothy	General Highway Foreman	\$66,917
Switzer	Angela	Head Social Welfare Examiner	\$66,917
DiSanto	Daniel	E911 Technology Coordinator	\$61,890
McGonigal	Kathy	Deputy Director, Youth	\$72,885
Rothfuss	Ora	Agricultural Development Specialist	\$74,459
Gensler	Jenell	Personnel Assistant	\$50,393
Corteville	Jamie	Fiscal Officer	\$62,355
Hasseler	Tanya	Business Outreach Coordinator	\$52,770
Cahoon	Kathleen	2nd Deputy County Treasurer	\$54,000
Bornheimer	Jody	Deputy County Treasurer	\$66,482
Coons	Deborah	Victim/Witness Coordinator	\$45,636
Brandt	Juliet	Deputy County Clerk 2nd	\$53,442
Burgess	Michelle	Deputy County Clerk	\$53,442
Golding	Kimberly	Sentencing Specialist	\$48,902
Sloane	Sandra	Clerk of the Board of Supervisors	\$54,015
Borrelli	Kelly	Deputy Election Commissioner	\$55,774
Krebbeks	Joyce	Deputy Election Commissioner	\$58,208
Fladd	Donna	Psychiatric Nurse Practitioner	\$100,729
Pidor	Haidee	Staff Psychiatrist	\$226,644
Rusu	Iustinian	Staff Psychiatrist	\$226,644
Reynolds	James	Supervising Psychologist	\$96,467
Rowe	Elizabeth	Psychiatric Nurse Practitioner	\$97,854
Yearwood	Ronaldo	Staff Psychiatrist	\$213,277
Shaw	David	Assistant District Attorney (PT)	\$53,000
Lord	Keith	Assistant District Attorney (PT)	\$45,318
Costanzia	Lawrence	Assistant District Attorney (PT)	\$45,318
Fox	Tracey	Assistant District Attorney (PT)	\$45,318
Youngman	Richard	Assistant Public Defender (PT)	\$38,986
Grow	John	Assistant Public Defender (PT)	\$38,986
Hendricks	William	Assistant Public Defender (PT)	\$38,986
Chambers	Peter	Assistant Public Defender (PT)	\$38,986
Liddle	William	EMS Coordinator (PT) (1560 hrs)	\$43,755
Bond	Richard	Fire Coordinator (PT)	\$35,045
NagPaul	Arun	Medical Director (PHCP)	\$15,878

Mr. Chatfield moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, all Supervisors voted Aye, except Supervisors Baldrige and Jacobs who voted Nay. Supervisor Kolczynski Abstained from voting. Absent – Supervisors Deming and Verno. The Chairman declared the Resolution adopted.

RESOLUTION NO. 526-19: ADOPTING 2020 WAGE SCHEDULE FOR COUNTY CONFIDENTIAL SUPPORT STAFF AND PART-TIME STAFF NOT SUBJECT TO COLLECTIVE BARGAINING AGREEMENTS

Mrs. Crane presented the following:

WHEREAS, the Government Operations Committee has determined 2020 wages for managerial employees not subject to collective bargaining agreements and is recommending them, in the schedule below, to the Board of Supervisors; and

WHEREAS, any employee listed whose current rate is below the established midpoint Step 7 will also include a step increase on anniversary date of appointment to current position; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby adopts the following schedule for County Support Staff not subject to collective bargaining agreements for the year 2020 effective January 1, 2020:

Full-time Per Hour:			
Smith	Dawn	Secretary to Soc Serv Comm	\$23.78
Liseno	Debbie	Secretary, Board of Supervisors	\$28.61
Fralick	Megan	Secretary, County Attorney	\$25.98
Koller	Darcey	Secretary, District Attorney	\$25.17
Tyler	Lori	Secretary, District Attorney	\$21.68
Fox-Groat	Kathy	Secretary, Public Defender	\$28.61
Wunder	Michelle	Senior Payroll Clerk	\$22.71
VanFleet	Jessica	Payroll Clerk	\$20.56
Savage	Christina	Personnel Clerk FT	\$23.74
Forest	Chasidy	Secretary to Treasurer	\$21.04
Patchen-Loveless	Kelley	Secretary, County Administrator	\$23.24
Donk	Rachael	Secretary, County Attorney	\$19.23
Venturino	Mariah	Secretary, County Clerk	\$20.09
Fasano	Giovanna	Secretary, Nursing Home 37.50 hr	\$25.32
Chardeen	Betty	Secretary, Sheriff Office 40 hr	\$23.00
Depauw	Sandra	Senior Personnel Clerk	\$20.56
Robinson	Mindy	Election Clerk	\$20.57
Johnson	Jennifer	Election Clerk	\$20.57
Kronbeck	Heidi	Internal Audit Clerk	\$16.60
Part-time:			
Evans	Peter	County Historian PT	\$25.40
Mary	Allen	Nurse Practitioner (Jail)	\$80.00
Owen	Morris	Nurse Practitioner PT	\$108.00
Crane	Peter	Jail Physician PT	\$115.00
Syrett	James	Medical Director (Emerg Mgt)	\$115.00
Morgan	Charles	Physician PT	\$148.00
Hoyt	Richard	Psychologist PT	\$128.00
Gibbons	Patrick	Psychiatrist	\$148.00
Kandlikar	Meera	Psychiatrist	\$148.00
Pappa	Lisa	Psychiatric Nurse Pract PT	\$108.00
Compton	Hugh	Rabid Animal Responder	\$25.00
Brown	Tracy	Rabid Animal Responder	\$25.00
Powell	Tim	Rabid Animal Responder	\$25.00
Howard	Robert	Animal Abuse Control Officer	\$6,575.00
Littlefield	Thomas	Animal Abuse Control Officer	\$6,575.00
Wyner	Dan	Assistant County Attorney (PT)	\$53.26
St. Martin	Matthew	Assistant DSS Attorney, PT	\$43.41
Urban	Mindy	Personnel Clerk (PT)	\$17.38
Correction Officer (PT) 1 yr		\$20.26	
Correction Officer (PT) 2+yrs		\$23.05	
Deputy Sheriff (PT) 1 yr		\$21.98	
Deputy Sheriff (PT) 2+yrs		\$24.66	
Receptionist (sub)		\$13.28	
Work Program Supervisor		\$16.23	
Resident Attendant (NH)		\$11.80	

Mr. Emmel moved the adoption of the resolution. Seconded by Mr. Kolczynski. Upon roll call, all Supervisors voted Aye, except Supervisors Baldrige and Jacobs who voted Nay. Mr. Groat Abstained from voting. Absent – Supervisors Deming and Verno. The Chairman declared the Resolution adopted.

RESOLUTION NO. 527-19: SETTING DATE FOR PUBLIC HEARING ON LOCAL LAW

PROVIDING FOR CHANGES IN SALARIES OF CERTAIN COUNTY OFFICERS DURING THEIR TERM OF OFFICE (2020)

Mrs. Crane presented the following:

WHEREAS, the County of Wayne is desirous of providing for a salary increase for certain county officers during their term of office; and

WHEREAS, the Government Operations Committee is recommending 2020 Salaries as listed below; now, therefore be it

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on **Tuesday, November 19, 2019 at 9:15 a.m.** in the Supervisors Chambers in the County Court House, Lyons, New York, on the proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK
INTRO NO. 7/LOCAL LAW NO. ____ FOR THE YEAR 2019**

A Local Law providing for changes in the salaries of certain County Officers during their term of office.

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

SECTION 1. The annual salary of the County Clerk shall be \$90,995 effective January 1, 2020

SECTION 2. The annual salary of the County Treasurer shall be \$86,310 effective January 1, 2020

SECTION 3. The annual salary of the Sheriff shall be \$120,911 effective January 1, 2020

SECTION 4. The annual salary of the District Attorney shall be \$200,400 effective January 1, 2020

SECTION 5. The annual salary of the Public Defender shall be \$107,568 effective January 1, 2020

SECTION 6. The annual salary of the County Administrator shall be \$129,292 effective January 1, 2020

SECTION 7. The annual salary of the Director of Real Property Tax Services shall be \$74,947 effective January 1, 2020

SECTION 8. The annual salary of the Human Resource Director shall be \$79,295 effective January 1, 2020

SECTION 9. The annual salary of the County Attorney shall be \$119,197 effective January 1, 2020

SECTION 10. The annual salary of the Election Commissioner shall be \$13,661 effective January 1, 2020

SECTION 11. The annual salary of the Election Commissioner shall be \$13,661 effective January 1, 2020

SECTION 12. The annual salary of the Commissioner of Social Services shall be \$101,975 effective January 1, 2020

SECTION 13. The annual salary of the Superintendent of Public Works shall be \$111,069 effective January 1, 2020

SECTION 14. The annual salary of the County Auditor shall be \$63,213 effective January 1, 2020.

SECTION 15. An incumbent holding a position subject to the provisions of Sections 1 through 12 of this local law at the time during the period from the effective date of the salary increase for such position until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefore, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.

SECTION 16. If any clause, sentence, paragraph, part or provision of this local law shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment

shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part or provision thereof directly involved in the controversy in which such judgment is rendered.

SECTION 17. This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof, in the manner provided by law.

SECTION 18. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2020.

Mr. Chatfield moved the adoption of the resolution. Seconded by Mrs. Pagano. All Supervisors voted Aye, except Supervisors Baldrige and Jacobs who voted Nay. Absent – Supervisors Deming and Verno. The Chairman declared the Resolution adopted.

RESOLUTION NO. 528-19: AUTHORIZATION TO RATIFY AND FUND LIEUTENANTS ASSOCIATION COLLECTIVE BARGAINING AGREEMENT

Mrs. Crane presented the following:

WHEREAS, the County of Wayne (“County”) and the Wayne County Sheriff (collectively the “County”) commenced negotiations on October 10, 2019 with the Wayne County Sheriff’s Lieutenants Association (“Association”) for a successor agreement to the collective bargaining agreement between the County and the Association which covered the period of January 1, 2013 through December 1, 2015; and

WHEREAS, the negotiations were concluded on October 10, 2019 for a successor agreement covering the period of January 1, 2016 through December 31, 2022; and

WHEREAS, this Board of Supervisors (“Board”) has been notified that the Association’s members have voted in favor of ratification of the successor agreement; and

WHEREAS, the Board has reviewed the terms of said agreement; now, therefore, be it RESOLVED, that this Board hereby ratifies the terms of the agreement and authorizes the Board’s Chairman to execute the Agreement on behalf of the County; and be it further

RESOLVED, that this Board hereby approves the appropriation of any additional funds necessary to implement the terms of said successor agreement.

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

Mrs. Crane addressed the board to say that contract negotiations for the Sheriff’s Lieutenants Association was accomplished within a few hours. She concluded that it went very well; and came out with a very good contract.

Upon roll call, adopted.

COMMITTEE OF THE WHOLE

Chairman LeRoy requested for a motion to convene as a Committee of the Whole at 10:03 a.m., to discuss options for the 2020 Tentative Wayne County Budget. He noted that this session of the meeting will be downstairs in the first floor committee room.

Mr. Kolczynski moved, seconded by Mr. Baldrige. Motion carried.

All Supervisors, with the exception of Mr. Verno and Mr. Deming were present, along with County Administrator Rick House, County Attorney Daniel Connors, Fiscal Assistant Ken Blake, and Clerk of the Board Sandra Sloane and Deputy Clerk Debbie Liseno.

Mr. Blake updated members on the 2020 County Tentative Budget.

The current gap in the budget would require \$5.5 million be taken from Fund Balance in order to keep the property tax rate increase under 2%. The General Fund audited balance at the end of 2018 was \$48 million; however, this number has been increased and is currently at \$51 million. The County’s Fund Balance would be reduced to \$46 million if the \$5.5 million is removed from it.

Mr. Blake questioned if the Board was in favor of removing the sales tax exemption they

currently allow on clothing purchases of under \$110. This action would bring in at least \$500,000 in new revenue toward the budget. Mr. Robusto questioned if the County has obtained any data to show if the sales tax exemption on clothing purchasing is bring additional business to Wayne County. Many Supervisors questioned if the public was aware of this financial benefit for shopping locally. Mr. Spickerman said this benefit promotes living and shopping in Wayne County. He again reiterated the County should work harder to reduce their expenses than look for reducing citizen benefits. Mr. Spickerman said all businesses in the County would need to be made aware of the change in the clothing tax exemption, if this occurs. Mr. Blake said this is only a proposal to increase revenues to help offset expense in the 2020 budget. There are only nine counties in the State that have a clothing sale tax exemption in place. Mr. Schmitt reviewed total revenue the County receives from clothing purchases annually. Mr. Baldrige said he would not support removal of the clothing tax exemption. Mr. Groat questioned if the issued raised today should be addressed by the County's Finance Committee.

Mr. Blake said the 2019 and 2020 budget, for the first time, will reflect a revenue of \$330,000 from the Nursing Home to the General Fund for the overhead cost the County incurs for interfund transfers. This action was supported by the Health and Medical Services and Finance Committees, along with the Nursing Home Administrator.

The State will be reducing State Aid to Municipalities (AIM) funding in 2020. The Governor said counties should utilize the additional sale tax revenue they will receive from internet sales to make towns and villages financially whole from the reduction in AIM funding. Supervisors agreed forcing counties to use the internet sales tax revenue to reimburse municipal governments does not help reduce property taxes, and will most likely not increase the County's sales tax revenue on internet sales by this much in the coming year. Wayne County will need to reimburse municipalities \$600,000 for reduced AIM funding.

There is an increase in the property tax levy from \$40.4 million to \$41.5 million. This can be made without exceeding the State's tax cap.

A discussion took place on the resolution passed earlier today by the Board to override the State tax cap. Mr. Blake said the last time the Board took this action was in 2013. He noted if the tax cap is exceeded the County would have to take less money from the General Fund.

Mr. Baldrige questioned why the request was put before the full Board prior to this discussion. Mr. Blake said the request put before the Board today was only to set the date for a public hearing on the matter. Mr. Baldrige questioned if the 'Other Business' resolutions passed by the Board earlier today are funded in the 2020 budget. He was informed funds to cover their expense have been incorporated into the County's 2020 contingency budget.

Mr. Blake noted the County took \$5 million from Fund Balance to offset the 2019 budget; the request this year is for \$5.5 million. Mr. House noted the County will not be eligible for Raise the Age reimbursement funding if they exceed the State tax cap; those costs have been limited to date.

The tentative budget will go to the printer on November 7th. The public hearing on the budget will be held on December 3rd.

REGULAR SESSION

Upon roll call, Mr. Verkey moved, seconded by Mrs. Pagano to resume Regular Session at 10:54 a.m. Carried.

Chairman LeRoy announced that scheduled this morning, the Wayne County Hazard Mitigation Plan Public Kick-Off Meeting is to be held upstairs in the Supervisors Chambers.

ADJOURNMENT:

The next scheduled meeting of the Board is **Tuesday, November 19, 2019 at 9:00 a.m.** Mr. Verkey moved, seconded by Mrs. Pagano, that the board adjourn at 10:55 a.m. Carried.

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