

14th Day
Tuesday, October 20, 2020
9:00 a.m.

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

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

Upon roll call, all Supervisors were present, except Supervisors Leonard and Verno who were absent. County Administrator Richard House and County Attorney Daniel Connors were also present for this morning session.

APPROVAL OF MINUTES:

Mrs. Jacobs moved, seconded by Mr. Chatfield, 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 September 18, 2020 totaling \$8,278.18 was received.

A letter was received from the Public Health Accreditation Board (PHAB) of Alexandria, Virginia, with congratulating news that Wayne County Public Health was awarded the designation of national accreditation through PHAB. WC Public Health underwent a rigorous, multi-faceted, peer-reviewed assessment process to ensure it met nationally established public health quality standards and measures.

A letter of resignation was received from Denis Vinnik, Administrator of the Wayne County Nursing Home, effective October 30, 2020.

A letter was received from Alan Isselhard, Huron town resident, requesting Board members to support legislation for dividing this state into three regions, separating upstate from downstate; changing the current centralized control that the state government has on this region.

A copy of the Petition and Notice of Foreclosure for 2019 Delinquent Town and County taxes was received and filed from the Wayne County Treasurer's Office.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments including the September 2020 warrants for accounts payable, totaling \$4,146,814.18 was received and filed.

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

PROCLAMATIONS AND CERTIFICATES OF RECOGNITIONS

Sheriff Virts, Deborah Coons, Wayne County Victim/Witness Services; Sarah Williams and Kat Dillon both representing the Victim Resource Center of the Finger Lakes Inc., presented the proclamation to acknowledge Domestic Violence Awareness Month – October 2020.

Amy Haskins, Aging and Youth Director, read the proclamation honoring National Family Caregivers Month – November 2020.

Susie Jacobs congratulated the Wayne County Public Health Department for their hard work in receiving the National Public Health Accreditation Award. Diane Devlin, Wayne County Public Health Director, proudly acknowledged her employees, Shane White, former Deputy Director and Kerry VanAuken, the current Deputy Director, with advancing our health department's commitment to improve governmental accountability while delivering essential public health services to our residents.

Wayne County, partnering with five other neighboring counties, made this the first regional accreditation award in the United States; with all participants receiving this accredited status for a five-year period. Congratulations.

Sheriff Virts recognized Major David Ambeau of the Wayne County Sheriff's Office, for his dedication and professionalism throughout his 26 years of services to the Wayne County Sheriff's office and the residents of Wayne County.

SCHEDULED BUSINESS:

Bill Carpenter, Chief Executive Officer – Rochester Genesee Regional Transportation Authority addressed the Board for a presentation on the RTS – Wayne, reviewing the 40 years of working together to provide great service to the residents of Wayne County.

Mr. Carpenter stressed the importance of health and safety for our riders and employees with the implementation of enhanced bus cleaning programs; expressed interest in enhancing Wayne County's many routes, including our Veterans riding for free with a Veterans Outreach Center ID. He discussed RTS-Wayne expanding its presence on the County property at 7227 Route 31, with future possibilities of a new bus garage and their own office space.

Renee Maybee, Veterans Service Officer - Wayne County Veterans Agency, addressed the board to further explain the fantastic opportunity available for free rides for Veterans on predetermined routes, meeting important transportation needs. It is important to note that this does not include dial a ride services.

Honorable discharged Veterans that are interested in applying for a free RTS bus pass are to contact the Veterans Outreach Center (VOC) at 585-546-1081.

The VOC is scheduled to be onsite at the Wayne County Veteran Services Agency on Friday, October 23 from 1-4 p.m. More information about free rides for honorably discharged Veterans will be distributed to Board members this week.

PRIVILEGE OF THE FLOOR:

Chairman Miller 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.

AD HOC COMMITTEE APPOINTMENT

Chairman Miller took this time to report that he had appointed members to a County Ad Hoc Committee for their recommendations to the Board for the selection of a new Nursing Home Administrator.

Membership will include Supervisors Jacobs, Johnson, Lasher, County Administrator House and Human Resources Director Kalinski.

RESOLUTION NO. 399-20: AUTHORIZATION TO SUBMIT 2020 OFFICE OF CHILDREN AND FAMILY SERVICES RESOURCE ALLOCATION PLAN FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Robusto presented the following:

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

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; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the OCFS Resource Allocation Plan for the year 2020.

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

RESOLUTION NO. 400-20: AUTHORIZATION FOR THE DIRECTOR OF THE DEPARTMENT OF AGING AND YOUTH TO SIGN 2020 OFFICE OF FAMILY AND CHILDREN SERVICES (OCFS) BUDGET AMENDMENTS

Mr. Robusto 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, Amy Haskins, to sign the OCFS budget amendments for the 2020 program year.

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

RESOLUTION NO. 401-20: AUTHORIZATION TO AWARD CONTRACT FOR THE PROVISION OF PERSONAL EMERGENCY RESPONSE SYSTEMS FOR THE WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH

Mr. Robusto presented the following:

WHEREAS, as part of the Older American's Act, the Wayne County Department of Aging and Youth receives funding from the NY State Office of Aging for the provision and monitoring of personal emergency response systems (PERS) for frail elderly residents in Wayne County; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for request for proposals from potential PERS providers, and the proposals were received and opened on Monday, September 21, 2020 at 2:00 p.m., for the provision of PERS for seniors assessed eligible; and

WHEREAS, the RFP indicates that the successful contractor may enter into a 3 year contract with Wayne County for PERS; and

WHEREAS, proposals were received from Response 4 Help, a Division of Self Direct, Inc. and American Medical Alert, a Connect America Company; and

WHEREAS, proposals were evaluated using several weighted criteria and Response 4 Help, a Division of Self Direct, Inc. scored the highest; now, therefore be it

RESOLVED, that the proposal submitted by Response 4 Help, a Division of Self Direct, Inc., is hereby accepted, in accordance with the specifications; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Response 4 Help, a Division of Self Direct, Inc. to provide PERS services for the term January 1, 2021- December 31, 2023 for the Wayne County Department of Aging and Youth at a monthly fee of \$16.50 per unit for all three years, not to exceed \$40,000 per year.

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

RESOLUTION NO. 402-20: AUTHORIZING AGREEMENT TO ESTABLISH PRACTICAL NURSING EDUCATIONAL PROGRAMS WITH WAYNE FINGER LAKES BOCES AT THE WAYNE COUNTY NURSING HOME

Mrs. Jacobs presented the following:

WHEREAS, Wayne Finger Lakes BOCES would like to utilize our facility for their long term care Practical Nursing training; and

WHEREAS, the Wayne County Nursing Home is a facility suited to provide clinical training and experience for their practical nursing program; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute an agreement on behalf of the Wayne County Nursing Home, with Finger Lakes BOCES for the provision of long term care Practical Nursing training effective January 1, 2021 to December 31, 2023 subject to the County Attorney's approval as to form and content.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, adopted.

RESOLUTION NO. 403-20: AUTHORIZATION TO SIGN AGREEMENTS WITH LIBERTY HEALTHCARE LLC AT THE WAYNE COUNTY NURSING HOME

Mrs. Jacobs presented the following:

WHEREAS, the contract with Liberty Health Supply, Inc expires December 31, 2020; and WHEREAS, Wayne County Nursing Home desires to renew the contract for the provision of medical supplies at a cost to the nursing home pending Med A payments; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute agreements for third party payors and Medicare Part A, on behalf of the Wayne County Nursing Home, with Liberty Health Supply Inc, for the provision of medical supplies effective January 1, 2021 to December 31, 2023 subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 404-20: AUTHORIZATION TO EXECUTE A CONTRACT WITH RELIANT STAFFING SYSTEMS FOR THE WAYNE COUNTY NURSING HOME

Mrs. Jacobs presented the following:

WHEREAS, the Wayne County Nursing Home has had a difficult time recruiting nursing staff and would like to contract with a staffing company to assist with recruitment of licensed staff;

WHEREAS, Wayne County Nursing Home wishes to contract with Reliant Staffing Systems services for the provision of nursing staffing; and

WHEREAS, Reliant Staffing Systems professional licensed staff and certified nursing assistants at the following fees:

Job Title	Bill Rate
LPN	\$41.50
C N A	\$26.25
RN	\$51.50
Time and one half applies for working holidays	

WHEREAS, Wayne County Nursing Home has the option to retain staff for a fee if employee has worked less than 675 hours and no fee if worked over 675 hours for the year; now, therefore, be it

Hours Worked	% of Annualized Salary
1-180	16%
181-360	14%
361-540	8%
541-675	5%
675+	No fee

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute an agreement with Reliant Staffing Systems for the provision of Registered Nurse, Licensed Practical Nurse and Certified Nursing Assistants coverage at the Wayne County Nursing Home, effective November 1, 2020 to December 31, 2021, with the option to renew for two (2) successive one-year periods, subject to the County Attorney's approval as to form and content.

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

call, adopted.

RESOLUTION NO. 405-20: AUTHORIZATION TO ESTABLISH AN AFFILIATION AGREEMENT BETWEEN NAZARETH COLLEGE AND WAYNE COUNTY PUBLIC HEALTH

Mrs. Jacobs presented the following:

WHEREAS, Wayne County Public Health (WCPH) is desirous of having a Public Health Student Intern per semester, when able, during the Fall and Spring semesters from Nazareth College; and

WHEREAS, such student will be un-paid and will assist Public Health (PH) Nurses perform data analysis of PH programs and COVID-19 Response activities and community educational efforts; and

WHEREAS, WCPH wishes to enter into an Affiliation Agreement with Nazareth College for the period of three years beginning on the date of the Agreement being fully executed, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an Affiliation Agreement between Nazareth College and Wayne County Public Health for the health department to provide a site for a Public Health Student Intern per semester, when able, for the period of three years beginning on the date of the Agreement being fully executed, subject to the County Attorney as to form and content.

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

RESOLUTION NO. 406-20: AUTHORIZATION TO EXECUTE CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR CHILDREN AND YOUTH WITH SPECIAL HEALTH CARE NEEDS FUNDING FOR WAYNE COUNTY PUBLIC HEALTH

Mrs. Jacobs presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently contracts annually with the New York State Department of Health (NYSDOH) for funding for the Children and Youth with Special Health Care Needs (CYSHCN) program; and

WHEREAS, WCPH will continue to support outreach, information, referral to services, and follow up with families of CYSHCN; and

WHEREAS, WCPH will receive \$25,039 annually for the period of October 1, 2020 to September 30, 2025 for a total contractual amount of \$125,195; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract with the NYSDOH Children and Youth with Special Health Care Needs program for the period of October 1, 2020 to September 30, 2025 for an amount of \$25,039 annually with a five year contract amount not to exceed \$125,195, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 407-20: AUTHORIZATION TO AMEND THE MENTAL HEALTH DEPARTMENT 2020 BUDGET FOR NEW YORK STATE FORENSIC HOSPITALIZATION COSTS

Mrs. Jacobs presented the following:

WHEREAS, there are certain situations and legal statutes and proceedings involving Criminal Courts, the County Mental Hygiene Department, and the Wayne County Sheriff's Office & Jail, that sometimes requires individuals who may be incarcerated in the Wayne County Jail, or who are not in custody and residing in the community, to be involuntarily hospitalized in a New York State Forensic Psychiatric Center; and

WHEREAS, some individuals who are in the custody of the Sheriff and incarcerated in the Wayne County Jail, or are not in custody and are residing in the community, though are involved in a Criminal Court proceeding under NYS Criminal Procedure Law Section 730 "Fitness to Proceed", which involves a psychiatric evaluation to determine if the defendant is an

incapacitated person, or when the individual is in custody of the Sheriff and incarcerated in the Wayne County Jail and if a prisoners state of mental health requires involuntary care and treatment, and the prisoner should be removed to a psychiatric hospital for treatment, NYS Correction Law Section 508 "Removal of Sick Prisoners From Jail" provides the legal means to do so; and

WHEREAS, when the defendant is found to be an incapacitated person under Criminal Procedure Law Section 730, the court may order the individual to be sent to a state forensic hospital/institution to undergo restorative treatment, or when an incarcerated person is in need of immediate psychiatric care and treatment and is hospitalized in a state forensic hospital, they may be removed from jail to do so under Correction Law Section 508; and

WHEREAS, the County Cost per day for a forensic hospitalization generally runs in excess of \$1,000 per day, and the length of hospitalization stay is unpredictable, though in some cases could last as long as a year or more; and

WHEREAS, this year two Wayne County Jail inmates were admitted into forensic hospitalization institutions for restorative care, and one inmate remains hospitalized and may remain so the remainder of 2020; and

WHEREAS, due to the unpredictability of the annual need for funding of forensic hospitalization, and the high cost per case per day for hospitalization, the County budgets a nominal amount annually in order to facilitate immediate hospitalization, then adjusts the budget as additional funding is needed; and

WHEREAS, that an the Director of Mental Health and the County Deputy Budget Director are desirous on increasing the 2020 Adopted appropriations by an additional \$120,000 to fund current hospitalizations anticipated through December 2020; and

WHEREAS, that the County Deputy Budget Director suggests transferring \$120,000 from the Unassigned General Fund Balance to fund the appropriation; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to transfer \$120,000 from the Unassigned General Fund Balance; and be it further

RESOLVED, that the County Treasurer is authorized to make the following 2020 Budget amendment:

A4335 Forensic Hospitalization

(Appropriations)

\$120,000 to 54571 CPL Costs

Mr. Lasher moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

EXECUTIVE SESSION

Mrs. Jacobs moved, seconded by Mr. Lasher to go into Executive Session at 9:45 a.m. to discuss a Personnel matter.

REGULAR SESSION

Mrs. Jacobs moved, seconded by Mr. Eygnor that the Board resume Regular Session at 10:12 a.m.

RESOLUTION NO. 408-20: AUTHORIZATION TO AMEND THE 2020 HUMAN RESOURCE DEPARTMENT BUDGET DUE TO LEGAL COSTS

Mr. Emmel presented the following:

WHEREAS, the Human Resource Department now oversees the budgeted line item for Legal Representation for contract negotiations, arbitrations, etc.; and

WHEREAS, the 2020 budget was originally established with an amount of \$60,500. An additional \$60,000 was added to the HR Budget in August to cover these services with extensive time period on contract negotiations and arbitrations. The funds have been depleted with a present negative balance; and

WHEREAS, the County will continue legal services from Hancock Estabrook, LLP for services to negotiate outstanding contract with one unit and arbitrations; and

WHEREAS, the Human Resource Director is desirous to amend the 2020 Budget to add \$60,000 Budget Appropriations to cover anticipated costs of continuation of negotiations and arbitrations; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is authorized to amend the 2020 Budget as follows:

A1990 Contingent Fund General

(Appropriations)

\$60,000 from 54000 Contractual Expenses

A1430 Human Resource Departments

(Appropriations)

\$60,000 to 54486 Union Contracts

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

RESOLUTION NO. 409-20: ADOPTION OF MANAGEMENT AND CONFIDENTIAL POSITION WAGE AND SALARY RANGES FOR 2021

Mr. Emmel 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 2020 Salary Schedule be revised for 2021 by a cost of living adjustment (COLA) of 2.5% to align the 2021 salary schedule with the labor market; and

WHEREAS, the Pay Plan Committee has met and agreed to make changes within the Pay Plan Salary Administration; 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, 2021:

		SALARY GRADE → → →						
2021		1	2	3	4	5	6	7
SALARY STEP	MINIMUM	\$15.05	\$17.01	\$19.22	\$21.72	\$44,670	\$50,477	\$56,534
	1	\$15.40	\$17.41	\$19.67	\$22.23	\$45,711	\$51,653	\$57,852
	2	\$15.76	\$17.81	\$20.13	\$22.74	\$46,777	\$52,857	\$59,200
	3	\$16.13	\$18.23	\$20.60	\$23.27	\$47,867	\$54,089	\$60,580
	4	\$16.51	\$18.65	\$21.08	\$23.82	\$48,982	\$55,350	\$61,992
	5	\$16.89	\$19.09	\$21.57	\$24.37	\$50,124	\$56,640	\$63,437
	6	\$17.28	\$19.53	\$22.07	\$24.94	\$51,292	\$57,960	\$64,916
	MIDPOINT	\$17.69	\$19.99	\$22.59	\$25.52	\$52,487	\$59,310	\$66,428
	8	\$17.88	\$20.20	\$22.83	\$25.79	\$53,051	\$59,947	\$67,141
	9	\$18.07	\$20.42	\$23.07	\$26.07	\$53,620	\$60,591	\$67,861
	10	\$18.26	\$20.64	\$23.32	\$26.35	\$54,196	\$61,241	\$68,590
	11	\$18.46	\$20.86	\$23.57	\$26.63	\$54,778	\$61,898	\$69,326
	12	\$18.66	\$21.08	\$23.82	\$26.92	\$55,366	\$62,563	\$70,070
	13	\$18.86	\$21.31	\$24.08	\$27.21	\$55,960	\$63,235	\$70,823
	14	\$19.06	\$21.54	\$24.34	\$27.50	\$56,561	\$63,913	\$71,583
	15	\$19.27	\$21.77	\$24.60	\$27.80	\$57,168	\$64,600	\$72,351
	16	\$19.47	\$22.00	\$24.86	\$28.10	\$57,782	\$65,293	\$73,128
	17	\$19.68	\$22.24	\$25.13	\$28.40	\$58,402	\$65,994	\$73,913
	18	\$19.89	\$22.48	\$25.40	\$28.70	\$59,029	\$66,702	\$74,707
19	\$20.11	\$22.72	\$25.67	\$29.01	\$59,663	\$67,418	\$75,509	
MAXIMUM	\$20.32	\$22.96	\$25.95	\$29.32	\$60,305	\$68,144	\$76,321	

		SALARY GRADE → → → (cont.)						
2021		8	8b P.T.	9	10	11	12	\$13
SALARY STEP	MINIMUM	\$63,318	\$40,000	\$70,916	\$79,426	\$88,957	\$99,632	111,588
	1	\$64,794		\$72,569	\$81,277	\$91,031	\$101,954	\$114,189
	2	\$66,304	\$42,659	\$74,261	\$83,171	\$93,152	\$104,330	\$116,851
	3	\$67,849		\$75,992	\$85,110	\$95,324	\$106,762	\$119,574
	4	\$69,431	\$45,318	\$77,763	\$87,094	\$97,545	\$109,251	\$122,361
	5	\$71,049		\$79,575	\$89,124	\$99,819	\$111,797	\$125,213
	6	\$72,705		\$81,430	\$91,201	\$102,145	\$114,403	\$128,131
MIDPOINT	\$74,398		\$83,326	\$93,325	\$104,524	\$117,068	\$131,116	

8	\$75,197	\$84,221	\$94,327	\$105,647	\$118,325	\$132,524
9	\$76,004	\$85,125	\$95,340	\$106,781	\$119,595	\$133,947
10	\$76,820	\$86,039	\$96,363	\$107,927	\$120,879	\$135,385
11	\$77,645	\$86,962	\$97,398	\$109,086	\$122,177	\$136,838
12	\$78,478	\$87,896	\$98,443	\$110,257	\$123,488	\$138,307
13	\$79,321	\$88,840	\$99,500	\$111,440	\$124,814	\$139,792
14	\$80,172	\$89,793	\$100,568	\$112,637	\$126,154	\$141,292
15	\$81,033	\$90,757	\$101,648	\$113,846	\$127,508	\$142,809
16	\$81,903	\$91,732	\$102,739	\$115,068	\$128,877	\$144,342
17	\$82,782	\$92,716	\$103,842	\$116,303	\$130,260	\$145,892
18	\$83,671	\$93,712	\$104,957	\$117,552	\$131,659	\$147,458
19	\$84,569	\$94,718	\$106,084	\$118,814	\$133,072	\$149,041
MAXIMUM	\$85,480	\$95,737	\$107,226	\$120,093	\$134,504	\$150,645

Mr. Chatfield moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, all Supervisors voted Aye. Supervisors Groat and Kolczynski abstained from voting. Absent – Supervisors Leonard and Verno. The Chairman declared the Resolution adopted.

RESOLUTION NO. 410-20: AUTHORIZATION FOR ADOPTION OF MANAGERIAL/CONFIDENTIAL POSITION PAY GRADE FOR SECOND ASSISTANT PUBLIC DEFENDER AND SECOND ASSISTANT DISTRICT ATTORNEY

Mr. Emmel presented the following:

WHEREAS, the Board of Supervisors adopted Resolution No. 382-14 establishing pay grades for the Managerial Confidential (M/C) positions in place at that time; and

WHEREAS, the Board of Supervisors adopted Resolution No. 622-18 to renew contact with Public Sector HR Consultants LLC to provide services including the rating of new positions that may be created in the M/C employee group; and

WHEREAS, Public Section HR Consultants LLC has studied and rated the positions and recommends placement in M/C pay grade 9; now, therefore, be it

RESOLVED, that the position of Second Assistant Public Defender and Second Assistant District Attorney are hereby placed in M/C pay grade 9.

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

Upon roll call, all Supervisors voted Aye. Absent – Supervisors Leonard and Verno. The Chairman declared the Resolution adopted.

RESOLUTION NO. 411-20: ADOPTION OF REVISED IMPLEMENTING PROCEDURES FOR MANAGERIAL AND CONFIDENTIAL EMPLOYEES SALARY PLAN

Mr. Emmel 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, the appointed Pay Plan Committee met on September 16, 2020 and agreed to revise and adopt the revisions to the Salary Administration Program for Management/Confidential Positions; and

WHEREAS, policy and procedure will guide the County in maintaining equitable salaries

within the Managerial and Confidential employee group; and

WHEREAS, The Salary Plan Committee approved Public Sector HR Consultants LLC to reevaluate positions within Grades 2 through 4 and the Sentencing Specialist in Grade 5; now, therefore, be it

RESOLVED, recommended grade change recommended by Public Sector HR Consultants LLC be adopted and implemented January 1, 2021; and be it further

RESOLVED, that the Board of Supervisors hereby adopts the following Salary Review Guidelines revisions to the Salary Administration program; and be it further

RESOLVED, that Resolution No. 523-19 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 review by the Pay Plan Committee prior to presenting to the full Board of Supervisors for 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.

Establishing a starting salary or wage for Attorney positions within Grades 8, 9 and 10 Full Time.

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. The Pay Plan Committee after review of applicant, has the approval of the Board of Supervisors to approve Step 5 up to Midpoint. Above Midpoint will require review of applicant by the Pay Plan Committee prior to presenting to the full Board of Supervisors for approval.

Grade 8b Part Time Attorneys will have three steps – Entry, midpoint and job rate. County Administrator has approval of the Board of Supervisors to approval and set salary based on the individuals' qualifications.

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

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.

New Hire Rates – Usually, a new employee’s starting salary is between the minimum and the midpoint of the salary range. If a new employee only meets the minimum qualifications of the position, the starting salary should be at or near the salary range minimum. If an employee has qualifications beyond the basic requirements of the position description, the salary rate may be higher than the salary range minimum. The proposed starting salary should be compared with the salaries of employees in similar positions in Wayne County to maintain an equitable salary relationship between the new hire and employees with similar experience and expertise.

Out of Range Rates – The Board may give special consideration to salary adjustments in those instances where an employee’s salary falls either **below the salary range minimum** or **above the salary range maximum**.

SECTION 8: ANNUAL PERFORMANCE APPRAISALS

Performance Evaluations:

Annual Performance Appraisals will be conducted for the period of January 1st through December 31st 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 January 1st through December 31st

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	Performance consistently meets, and occasionally exceeds, the

	Expectations	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.

Following changes would be made effective 1/1/2021:

Title	From Grade	To Grade
Election Clerk	2	3
Internal Audit Clerk	2	3
Administrative Secretary NH	3	4
Payroll Clerk	3	4
Secretary to County Administrator	3	4
Secretary to County Attorney	3	4
Secretary to County Clerk	3	4
Secretary to County Sheriff	3	4
Secretary to County Treasurer	3	4
Senior Personnel Clerk	3	4
Senior Payroll Clerk	4	5
Sentencing Specialist	5	6

Part time ADA & APD would have a hire, mid, job rate only – Establish Grade 8b

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

RESOLUTION NO. 412-20: ADOPTION 2021 SALARY SCHEDULE FOR THE BOARD OF SUPERVISORS AND THE CHAIRMAN OF THE BOARD

Mr. Emmel 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 2021; 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 2021; 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 2021, effective January 1, 2021:

Supervisors	\$ 17,253
Chairman of the Board	\$ 23,246

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

RESOLUTION NO. 413-20: AUTHORIZATION TO APPOINT COUNTY COMPLIANCE OFFICER

Mr. Emmel presented the following:

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, and is adhering to operating principles and policies adopted by the Wayne County Board of Supervisors and Compliance Committee,

and is also adhering to any and all provisions of the County Ethics Policy; and

WHEREAS, the Board of Supervisors adopted Resolution No. 501-19 authorizing the appointment of Interim Compliance Officer Edward Hunt, who has been an active member with Wayne County Compliance for more than thirteen years and who has an extensive knowledge on compliance related issues; and

WHEREAS, it is the desire of the Wayne County Board of Supervisor to appoint a Compliance Officer on a more permanent basis; now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors hereby appoints Mr. Edward Hunt to the position of County Compliance Officer on a permanent basis effective immediately.

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

RESOLUTION NO. 414-20: AUTHORIZATION TO APPOINT SELECTION COMMITTEE FOR THE POSITION OF NURSING HOME ADMINISTRATOR

Mr. Emmel presented the following:

WHEREAS, the position of Nursing Home Administrator will become vacant on October 31, 2020, due to the resignation of Denis Vinnik; and

WHEREAS, the Wayne County Board of Supervisors desires to maintain the operations and integrity of the Wayne County Nursing Home while a search for a permanent Administrator can be conducted; now, therefore, be it

RESOLVED that the Chairman of the Board of Supervisors is hereby authorized to appoint a selection committee including three members of the Board of Supervisors, the County Administrator, and the Human Resource Director.

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

RESOLUTION NO. 415-20: AUTHORIZATION TO EXECUTE A THREE YEAR CONTRACT WITH LEXIS NEXIS FOR THE WAYNE COUNTY ATTORNEY'S OFFICE

Mr. Emmel presented the following:

WHEREAS, the Wayne County Attorney's Office has received and reviewed a new proposed three year contract with Lexis Nexis and has determined that Lexis Nexis provides the most beneficial and cost effective resources for legal research, and is hereby requesting approval to enter into a new three year contract with Lexis Nexis for electronic legal research services and various legal books and publications; now, therefore, be it

RESOLVED, that upon the review and approval of the Lexis Nexis contract by the Wayne County Attorney, the Wayne County Chairman of the Board of Supervisors is hereby authorized to execute the three year Contract with Lexis Nexis.

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

RESOLUTION NO. 416-20: RESOLUTION OF THE WAYNE COUNTY BOARD OF SUPERVISORS, AS THE ELECTED LEGISLATIVE BODY OF WAYNE COUNTY, NEW YORK, IN ACCORDANCE WITH SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE"), APPROVING THE ISSUANCE BY THE MONROE COUNTY INDUSTRIAL DEVELOPMENT CORPORATION, IN ONE OR MORE SERIES, OF UP TO \$373,000,000 PRINCIPAL AMOUNT OF REVENUE BONDS (ROCHESTER REGIONAL HEALTH PROJECT), SERIES 2020 OF WHICH UP TO \$12,000,000 PRINCIPAL AMOUNT SHALL BE USED TO FINANCE THE NEWARK-WAYNE PROJECT (AS DEFINED HEREIN)

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Board of Supervisors (the "Board"), as the elected legislative body of Wayne County, New York (the "County"), has been advised by the Monroe County Industrial Development Corporation (the "Issuer") that, in order to assist in the financing

of a certain Newark-Wayne Project (as defined below) for the benefit of Rochester Regional Health, a New York not-for-profit corporation and an organization described in Section 501(c)(3) of the Code, its successors or designees (collectively, "Rochester Regional"), on behalf of itself and as the sole member of The Rochester General Hospital and its successors or designees (collectively, "RGH"), The Unity Hospital of Rochester and its successors or designees (collectively, "Unity"), Newark-Wayne Community Hospital and its successors or designees (collectively, "NWCH"), United Memorial Medical Center and its successors or designees (collectively, "UMMC") and The Clifton Springs Sanitarium Company and its successors or designees (collectively, "Clifton Springs"; and, together with Rochester Regional, RGH, Unity, NWCH and UMMC, the "Institution"), each a New York not-for-profit corporation and an organization described in Section 501(c)(3) of the Code (the "Institution"), the Issuer proposes to issue, contingent upon the adoption of this Resolution, its Revenue Bonds (Rochester Regional Health Project), Series 2020 in the aggregate principal amount not to exceed \$373,000,000 (the "Series 2020 Bonds"), for which up to \$12,000,000 in Series 2020 Bonds are to be issued to finance certain costs in connection with the Newark-Wayne Project (defined below); and

WHEREAS, the Newark-Wayne Project consists of: the refunding or refinancing of all or a portion of the outstanding principal amounts of, and the associated redemption or prepayment premiums or penalty on (A) the Wayne County Civic Facility Development Corporation Revenue Bonds (Newark-Wayne Community Hospital Project), Series 2011A, issued in the original principal amount of \$10,925,000 (the "Series 2011A Bonds") and (B) the Wayne County Civic Facility Development Corporation Revenue Bonds (Newark-Wayne Community Hospital Project), Series 2011C, issued in the original principal amount of \$5,305,000 (the "Series 2011C Bonds"; and, together with the Series 2011A Bonds, the "Series 2011 Bonds"); and

WHEREAS, the Series 2011 Bonds were used to finance (A) (i) the expansion and modernization of two procedure rooms in the existing 220,000 square-foot, 120-bed hospital (the "Newark-Wayne Facility") located on the Newark-Wayne Campus, (ii) the construction of an expanded emergency department, (iii) the construction of a patient access center, (iv) the infilling of the courtyard between NWCH's main lobby and emergency department and (v) the construction of a main entrance with waiting room; (B) the acquisition and installation in of certain items machinery, equipment and other tangible personal property; and (C) the refinancing of certain outstanding long-term indebtedness; and

WHEREAS, pursuant to Section 147(f) of the Code, interest on the Series 2020 Bonds will not be excludable from gross income for Federal income tax purposes unless the issuance of the Series 2020 Bonds and the portion thereof to be applied to finance the Newark-Wayne Project is approved by the Board after a public hearing to consider both the issuance of the Series 2020 Bonds and the nature and location of the facilities located within the County financed therewith has been conducted following reasonable public notice; and

WHEREAS, on September 8, 2020, the Issuer held such a public hearing upon proper notice in compliance with Section 147(f) of the Code, with access to the general public being provided by toll-free telephone number (in accordance with the Executive Order 202.15 of the New York State Governor and Internal Revenue Service Revenue Procedure 2020-21; and

WHEREAS, to aid the Board in its deliberations, the Issuer has made available to the members of the Board prior to this meeting (a) the Institution's application to the Issuer for financial assistance; (b) the notice of public hearing posted by the County on September 1, 2020, on the County's website, together with a certificate of the Director of Information Technology of the County attesting to the posting thereof on the County's website; (c) the minutes of such public hearing held on September 8, 2020; and (d) the Issuer's Bond Resolution, adopted on September 9, 2020, with respect to the proposed issuance of the Series 2020 Bonds; and

WHEREAS, the Board, after due consideration of the foregoing, as the "applicable elected representative" of the County within the meaning of Section 147(f)(2)(E) of the Code, desires to approve the issuance of the Series 2020 Bonds and the application of up to \$12,000,000 principal amount thereof to finance or refinance the Newark-Wayne Project, provided the principal, premium, if any, and interest on the Series 2020 Bonds shall be special obligations of

the Issuer and shall never be a debt of the State of New York (the "State") or any political subdivision thereof, including without limitation the County, and neither the State nor any political subdivision thereof, including without limitation the County, shall be liable thereon; now, therefore, be it

RESOLVED, BY THE BOARD OF SUPERVISORS OF WAYNE COUNTY, NEW YORK:

Section 1. For the purpose of satisfying the approval requirement of Section 147(f) of the Code, the Board hereby gives its approval of the issuance by the Issuer of the Series 2020 Bonds and the application of up to \$12,000,000 principal amount of the Series 2020 Bonds to finance or refinance the Newark-Wayne Project; *provided* that the Series 2020 Bonds, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State or any political subdivision thereof, including without limitation the County, and neither the State nor any political subdivision thereof, including without limitation the County, shall be liable thereon. This approval is given pursuant to Section 147(f) of the Code for the sole purpose of qualifying the interest payable on the Bonds for exclusion from gross income for federal income tax purposes pursuant to the provisions of Sections 103 and 141-150 of the Code.

Section 2. This Resolution shall be deemed to be made for the benefit of the holders of the Series 2020 Bonds.

Section 3. This Resolution shall take effect immediately.

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

RESOLUTION NO. 417-20: AUTHORIZATION TO CREATE AND CLOSE COMPLETED 2020 CONSTRUCTION PROJECTS AND AMEND THE PUBLIC WORKS DEPARTMENT 2020 BUDGET

Mr. Chatfield presented the following:

WHEREAS, in accordance with Section 115 of the Highway Law, the Superintendent of Public Works has prepared project statements for the proposed work for the following project:
20-88 Guiderail Project \$110,000

WHEREAS, various Highway Construction Projects have been completed in 2020 and final payments processed; and

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

RESOLVED, that the project statement prepared by the Superintendent of Public Works is hereby approved by the Board of Supervisors, and the Chairman of the Board and the Clerk of the Board are hereby directed to endorse such approval on the project statement; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed create and amend the 2020 budget as follows:

D5112-ROAD CONSTRUCTION:

\$68,236.16 from .52600 Highway Construction
\$12,212.56 from .52621 Owls Nest Rd Project
\$12,509.83 from .52633 Vienna Road Recycle Project
\$24,053.86 from .52663 20-73 Lake Rd Paving Project
\$12,740.49 from .52663 20-82 Ridge Road Alton
\$92,893.75 from .52663 20-84 Arcadia-Zurich-Norris Rd Paving
\$24,049.70 from .52663 20-85 Owls Nest Rd Recycle Project
\$54,714.21 to .52659 2020 Surface Treating Project
\$48,293.61 to .52663 20-75 Arcadia-Zurich-Norris Recycle Project
\$8,688.53 to .52663 20-76 Lake Rd Williamson Recycle
\$25,000 to .52663 20-83 Lake Rd Williamson Recycle
\$110,000 to .52663 20-88 Guiderail 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:

- .52621 Owls Nest Rd Project
- .52633 Vienna Road Recycle Project
- .52659 Surface Treating Project
- .52663 20-73 Lake Rd Paving Project
- .52663 20-75 Arcadia-Zurich-Norris Recycle Project
- .52663 20-76 Lake Road Williamson Recycle
- .52663 20-82 Ridge Road Alton
- .52663 20-83 Lake Road Williamson Recycle
- .52663 20-84 Arcadia-Zurich-Norris Rd Paving Project
- .52663 20-85 Owls Nest Rd Recycle Project

Mr. Lasher moved the adoption of the resolution. Seconded by Mr. Eygnor. Upon roll call, adopted.

RESOLUTION NO. 418-20: AUTHORIZE COUNTY/TOWN CONTRACTS FOR SNOW AND ICE CONTROL ON WAYNE COUNTY HIGHWAYS

Mr. Chatfield presented the following:

WHEREAS, as in previous years, Wayne County is proposing to enter into an agreement with the towns for snow and ice services for the period beginning on January 1, 2021 and ending on December 31, 2021; and

WHEREAS, the reimbursements will be based on actual time and material expended by each town and a per trip cost will be negotiated with each town based on their expenses and the application rates/ratios; and

WHEREAS, the towns will be required to keep a log of trips that will be submitted to the county for reimbursement on a monthly basis; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute County/Town contracts for snow and ice control on County Highways during 2021, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 419-20: AUTHORIZATION TO ENTER INTO A LICENSE AGREEMENT WITH THE GREAT LAKES DOCK AND MATERIALS, LLC (GLDM) TO STORE STONE MATERIALS IN A PORTION OF THE SODUS BEACH PARK PARKING LOT

Mr. Chatfield presented the following:

WHEREAS, the GLDM is performing a stone break wall project on Sodus Bay and has requested to use a portion of the Sodus beach Park parking lot to stage stone materials before the materials are loaded on a barge; and

WHEREAS, the Superintendent of Public Works has reviewed this request and has agreed that this short term use is appropriate; and

WHEREAS, the Superintend of Public Works will meet with a representative of GLDM prior to the start of the staging to document the existing conditions in the parking lot; and

WHEREAS, the GLDM will be responsible for restoring the parking lot area to pre-construction condition; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a license Agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Great lakes Dock and Materials, LLC, for the purpose of storing stone material in a portion of the Sodus Point Park parking lot in Sodus.

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

RESOLUTION NO. 420-20: AUTHORIZATION TO SIGN AGREEMENT WITH NEW YORK

STATE DEPARTMENT OF TRANSPORTATION FOR SHARED SERVICES

Mr. Chatfield presented the following:

WHEREAS, the New York State Department of Transportation (NYSDOT) has prepared a shared services agreement to be utilized by any Municipality wishing to share services or exchange or lend materials or equipment which shall promote and assist the maintenance of State and Municipal roads; and

WHEREAS, the shared services agreement does not commit the County to provide or receive any services from the NYSDOT; and

WHEREAS, the total amount of the agreement shall not exceed \$25,000; and

WHEREAS, the Superintendent of Public Works suggests that there is a benefit to having an agreement in place that would make services available in a time of need; and

WHEREAS, the agreement will be in place for four years from the date of execution; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an agreement with the NYSDOT, subject to the County Attorney's approval, to allow for the sharing of services relating to roadway maintenance.

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

RESOLUTION NO. 421-20: AUTHORIZATION TO AMEND COUNTY BUDGET FOR WAYNE COUNTY CENTRAL GARAGE

Mr. Chatfield presented the following:

WHEREAS, the Central Garage has expended most of the 2020 budget amount for account number 54100, Supplies and Materials due to an increase of materials needed for repairs, and account number 54180, Tires; and

WHEREAS, it is necessary to increase the budgets for these accounts in order to perform the necessary repairs on vehicles owned by the County and other agencies that Central Garage services; now, therefore, be it

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

A 1640-Central Garage:

(Revenues)

\$40,000 to 41272 Central Garage Fees

(Appropriations)

\$15,000 to 54100 Supplies and Materials

\$25,000 to 54180 Tires

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

RESOLUTION NO. 422-20: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH THE NYSDOT FOR CONSTRUCTION PHASE FUNDING OF THE MUD MILLS BRIDGE REHABILITATION PROJECT

Mr. Chatfield presented the following:

WHEREAS, the construction of the Mud Mills bridge project has now been authorized; and

WHEREAS, a supplemental agreement is required between Wayne County and the NYSDOT to get reimbursed for this construction phase of the project; and

WHEREAS, the NYS Highway law authorizes the Commissioner of Transportation to use Federal aid available under the Federal aid highway acts and provides for the consent to and approval by the Municipality/Sponsor of any such project under the Federal aid highway program which is not on the State highway system before such Project is commenced; and

WHEREAS, the County of Wayne desires to advance these Projects by making a commitment of 100% of the non-federal share of this project, now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby approves the above subject project; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby agrees to pay in the first

instance 100% of the federal and non-federal share of the cost of the entire project; and be it further

RESOLVED, that the Wayne County Board of Supervisors agrees that the County of Wayne shall be responsible for all costs of the project which exceed the amount of the NY Bridge funding awarded to the County of Wayne; and be it further

RESOLVED, that the sum of \$755,000 is hereby appropriated and made available to cover the cost of the Construction phases of the Mud Mills Bridge project (4BNY23); and be it further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby agrees that the construction of the project shall begin no later than twenty four (24) months after award and that the project shall be completed within thirty months of commencing construction; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors or the Superintendent of Public Works is authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Wayne with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's first instance funding of the project costs and permanent funding of the local share of federal aid and state aid eligible Project costs and all project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that the Chairman of the Wayne county Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the New York State for the Mud Mills bridge replacement project (PIN 4BNY23); and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$128,000 from the Unassigned General Fund Balance; and be it further

RESOLVED, that the Wayne County Treasurer is authorized to make the following adjustments to the 2020 Budget:

A9901 – Interfund Transfers

(Appropriations)

\$128,000 to 59300 Transfer – County Road Fund

D9999 – OTHER:

(Revenue)

\$128,000 to 4503 Interfund Transfers

\$627,000 to 44511 Marchiselli Funds - Federal

D5112 – ROAD CONSTRUCTION:

(Appropriations)

\$755,000 to 52928 Mud Mills Bridge Project

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, adopted.

RESOLUTION NO. 423-20: AUTHORIZATION TO SELL A PROPERTY AT 7190 RIDGE ROAD, SODUS TO THE WAYNE COUNTY LAND BANK

Mr. Chatfield presented the following:

WHEREAS, the County owns property located at 7190 Ridge Road (69117-00-812722) in the Town of Sodus, NY once occupied by Wayne County Action Program; and

WHEREAS, in 2019 a structural failure was discovered in the roof of the building; and

WHEREAS, after this discovery the building was vacated by Wayne CAP; and

WHEREAS, it has been determined that the County has no further governmental use for said property and a private individual could make said repairs to the structure thus the Superintendent of Public Works recommends that the County sell said property; now, therefore, be it

RESOLVED, that the said property located at 7190 Ridge Road (69117-00-812722) in the Town of Sodus is hereby deemed to be surplus County property; and be it further

RESOLVED, that this property is authorized to be sold to the Wayne County Land Bank for the sum of \$3000 which will cover costs recently incurred by Wayne County and be it further

RESOLVED that the Chairman of the Board of Supervisors is authorized to sign all legal documents, subject to the County Attorney's review, to transfer the property to the Wayne County Land Bank.

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

RESOLUTION NO. 424-20: AUTHORIZATION TO AMEND AGREEMENT WITH ABM JANITORIAL SERVICES FOR ADDITIONAL CLEANING SERVICES IN THE HALL OF JUSTICE

Mr. Chatfield presented the following:

WHEREAS, ABM currently has an agreement with Wayne County to provide afterhours janitorial services in the Hall of Justice located at 54 Broad Street in the Town of Lyons; and

WHEREAS, the NYS Courts reimburses the County for 90% of all cleaning cost in the Hall of Justice; and

WHEREAS, in April of this year the NYS Court requested additional cleaning services during the daytime hours to provide enhanced touch point cleaning due to the COVID-19 virus; and

WHEREAS; ABM has been providing approximately 20+/- additional man hours per week at a cost of \$24.00/hr; and

WHEREAS; the NYS Courts has indicated they would like to continue this enhanced cleaning until further notice; and

WHEREAS; ABM contract is set to expire in February 2021 and the Deputy Superintendent of Public Works recommend we modify the current contact for the additional services through February 2021; and

WHEREAS, there is funding currently available in the 2020 Buildings & Grounds Budget to cover the County 10% shared cost; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby amend the agreement with ABM for additional Enhanced cleaning services at a cost of \$24.00 per man hour; and be it further

RESOLVED, that the County Treasurer is authorized to amend the 2020 Buildings and Grounds budget as follows

A1615 Buildings & Grounds

(Revenues)

\$18,000 to 43025 – Court Facility Incentive Aid

(Appropriations)

\$18,000 to 54500– Fee for Services Non-Employee

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, adopted.

RESOLUTION NO. 425-20: AUTHORIZATION TO APPROVE 9 PEARL STREET 1ST FLOOR RENOVATION PROJECT AND FUND PROJECT

Mr. Chatfield presented the following:

WHEREAS, the Wayne County Board of Supervisor adopted Resolution No. 35-20 authorizing an agreement with LaBella Associates for detailed design for the renovation of 1st Floor at 9 Pearls Street Office Building in the Town of Lyons; and

WHEREAS, LaBella has provided conceptual plans to the County and is currently working on detailed drawings and specifications; and

WHEREAS, LaBella along with the Deputy Superintendent of Public Works have estimated the total renovation cost to be \$3,094,700.00; and

WHEREAS, LaBella is expected to have final bid documents ready by mid November 2020; and

WHEREAS, in order to keep the project moving forward the Superintendent of Public Works recommends that the Board of Supervisors approves and establishes the 9 Pearl Street 1st Floor Renovation project and fully fund it; and

WHEREAS, the Board of Supervisors has already funded \$194,700.00 in the 2020 Buildings & Grounds Operating budget for the detailed design by LaBella; and

WHEREAS, the remaining \$2,900,000 construction cost still needs to be funded; and

WHEREAS, it is the recommendation from the County Building & Space Committee and the Superintendent & Deputy Superintendent of Public Works to proceed with the much needed renovation of 1st floor at 9 Pearl Street; now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors hereby approves the 9 Pearl Street 1st Floor Renovation project and establishes the project account; and be it further

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bid in accordance with specifications prepared by the Superintendent of Public Works and subject to the Purchasing Clerk and County Attorney's approval as to form and content; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby designated and directed to publicly open the bid(s) at the time and place specified in the bid documents and to present a record of the bid(s) at the next meeting of the Board of Supervisors following the bid opening; and be it further

RESOLVED, that the County Treasurer is authorized to transfer \$2,900,000 from the Unassigned General Fund Balance; and be it further

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

A9950 Transfer to Capital Fund Projects

(Appropriations)

\$ 2,900,000 to 52774 Building Renovation Cap Proj (B3REV – Building 3 Renovations)

H1933 Building Renovation Projects

(Revenues)

\$2,900,000 to 45031 Interfund Transfer (B3REV – Building 3 Renovations)

(Appropriations)

\$2,686,500 to 52000 Equipment & Other Cap Outlay (B3REV – Building 3 Renovations)

\$90,000 to 52100 Furniture & Furnishings (B3REV – Building 3 Renovations)

\$15,000 to 52549 Utilities (B3REV – Building 3 Renovations)

\$33,000 to 52576 Miscellaneous (B3REV – Building 3 Renovations)

\$15,000 to 52826 Building Permits (B3REV – Building 3 Renovations)

\$40,500 to 54465 Rental – Office Space (B3REV – Building 3 Renovations)

\$20,000 to 54400 Contracted Services (B3REV – Building 3 Renovations)

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

RESOLUTION NO. 426-20: AUTHORIZATION TO LEASE 30 CHURCH STREET LYONS FOR THE OFFICE OF THE DISTRICT ATTORNEY

Mr. Chatfield presented the following:

WHEREAS, the District Attorney's office is currently located in the Hall of Justice at 54 Broad Street Lyons; and

WHEREAS, the space available in 54 Broad Street does not allow for any future expansion of the District Attorney's office or for the NYS Court system; and

WHEREAS, the building located at 30 Church Street Lyons has been renovated by the current owner and will be available for lease beginning on November 1, 2020; and

WHEREAS, the District Attorney, County Administrator, and Superintendent of Public Works have toured 30 Church Street and feel that the building would make suitable office space for all District Attorney staff; and

WHEREAS, the owners of 30 Church Street (Richard and Andrea Evangelist) are willing to

lease the building to the County for a 10 year term at a monthly rate of XXXXXXX; and
WHEREAS, the current owners will make some interior alterations, as requested by the District Attorney, prior to the County occupying the building; now, therefore be it
~~RESOLVED that the Chairman of the Board of Supervisors is authorized to sign all legal documents, subject to the County Attorney's review, to enter into a 10 year lease agreement with Richard and Andrea Evangelist to occupy 30 Church Street, Lyons.~~

Mr. Chatfield moved, seconded by Mr. Eygnor to amend the **5th WHEREAS clause, the 1st RESOLVED clause and add a 2nd RESOLVED clause**, as follows:

RESOLUTION NO. 426-20: AUTHORIZATION TO LEASE 30 CHURCH STREET LYONS FOR THE OFFICE OF THE DISTRICT ATTORNEY

Mr. Chatfield presented the following:

WHEREAS, the District Attorney's office is currently located in the Hall of Justice at 54 Broad Street Lyons; and

WHEREAS, the space available in 54 Broad Street does not allow for any future expansion of the District Attorney's office or for the NYS Court system; and

WHEREAS, the building located at 30 Church Street Lyons has been renovated by the current owner and will be available for lease beginning on November 1, 2020; and

WHEREAS, the District Attorney, County Administrator, and Superintendent of Public Works have toured 30 Church Street and feel that the building would make suitable office space for all District Attorney staff; and

WHEREAS, the owners of 30 Church Street (Richard and Andrea Evangelist) are willing to lease the building to the County for a 10 year term at a monthly rate of \$4,000.00; and

WHEREAS, the current owners will make some interior alterations, as requested by the District Attorney, prior to the County occupying the building; now, therefore, be it

RESOLVED that the Chairman of the Board of Supervisors is authorized to sign all legal documents, subject to the County Attorney's review, to enter into a 10 year lease agreement at a monthly rate of \$4,000.00 with Richard and Andrea Evangelist to occupy 30 Church Street, Lyons; and be it further

RESOLVED, that the Wayne County Treasurer is authorized to revise the 2020 Budget as follows:

A1990 General Fund Contingencies
(Appropriations)
\$8,000 from 54000 Contractual Expenses
A1165 District Attorney
(Appropriations)
\$8,000 to 54437 Lease'

Motion carried.

Mr. Eygnor moved the adoption of the amended resolution, seconded by Mr. Kolczynski. Upon roll call, adopted.

RESOLUTION NO. 427-20: AUTHORIZATION TO DECLARE VEHICLES SURPLUS IN THE PUBLIC WORKS DEPARTMENT

Mr. Chatfield presented the following:

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

2008 Chevrolet Impala (SO)	2G1WS553581269009	Auction
2010 Chevrolet Impala (SO)	2G1WD5EM4A1238794	Auction
2011 Chevrolet Impala (SO)	2G1WD5EM9B1301129	Auction

now, therefore, be it

RESOLVED, that the vehicles listed above be 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 Mr. Lasher. Upon roll call, adopted.

RESOLUTION NO. 428-20: AUTHORIZATION TO SURPLUS K9 TYSON FROM THE SHERIFF'S OFFICE K-9 UNIT

Mr. Verkey presented the following:

WHEREAS, the Wayne County Sheriff's Office has had a police K-9 program since 1984; and

WHEREAS, the Wayne County Sheriff's Office, currently has a K-9, known as "Tyson", in which the skills of the canine have deteriorated because of limited physical abilities and must be taken out of service; and

WHEREAS, Wayne County Sheriff's Sergeant George Lorenz is the current handler of K9 "Tyson" and has offered to adopt "Tyson" as a family pet; and

WHEREAS, any and all costs, including veterinary costs, associated with the adoption of "Tyson", will be done by George Lorenz; and

WHEREAS, there shall be a fee of \$1.00 paid to Wayne County by George Lorenz for transfer of ownership of "Tyson" from Wayne County to George Lorenz; and

WHEREAS, the Sheriff is requesting authorization to surplus K-9 "Tyson" and to transfer ownership of "Tyson" to George Lorenz 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 "Tyson" and to transfer ownership of "Tyson" to George Lorenz for the fee of \$1.00, with no costs to Wayne County taxpayers.

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

RESOLUTION NO. 429-20: AUTHORIZATION TO SURPLUS SHERIFF'S OFFICE VEHICLE EMERGENCY LIGHTS AND CONTROLLERS

Mr. Verkey presented the following:

WHEREAS, the Wayne County Sheriff's Office has 16 Whelen Liberty LED light bars, 22 Whelen siren /light controllers and 4 Whelen LED visor lights to be deemed surplus as the equipment no longer fits the current patrol vehicle make and model year; and

WHEREAS, the Sheriff is requesting authorization to surplus the above stated vehicle emergency lights and controllers; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to surplus 16 Whelen Liberty LED light bars, 22 Whelen siren /light controllers and 4 Whelen LED visor lights per county policy.

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

RESOLUTION NO. 430-20: AUTHORIZATION FOR THE CHAIRMAN OF THE BOARD TO EXECUTE A RENEWAL OF A THREE YEAR CONTRACT WITH THOMSON REUTER'S, WEST COMPANY, FOR ENHANCED SUBJECT INFORMATION AND SEARCH ACCESS FOR THE WAYNE COUNTY PROBATION DEPARTMENT

Mr. Verkey presented the following:

WHEREAS, The Wayne County Probation Director has requested and reviewed a three year renewal contract with Thomson Reuter's, West Company and has determined that Thomson Reuter's provides the most beneficial and cost effective resource for enhanced searching capabilities; and

WHEREAS, there is a need to renew the contract with Thomson Reuter's, West Company, Clear Program; and

WHEREAS, the current contract is set to expire on 5/28/21; and

WHEREAS, \$2,650.00 was budgeted in the 2021 Probation Budget, Line Item 54000-Contractual, with a 2% increase per contract year; and

WHEREAS, the County Attorney reviewed and approves the contract as to form and

content; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute the renewal of the three year Contract with Thomson Reuter's, West Company, 610 Opperman Drive, PO Box 64833 St. Paul, MN 55164-1803.

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

RESOLUTION NO. 431-20: AUTHORIZATION TO NEGOTIATE SETTLEMENT OF CLAIM – JAIL

Mrs. Bender presented the following:

WHEREAS, a claim was filed against the County on or about September 20, 2018 by an inmate for an improper medical exam done at the Wayne County Sheriff's Office; and

WHEREAS, NYMIR and the County Attorney have reviewed the merit of the claim, and the potential value thereof, and the financial risks to the County, and are desirous of settling said claim; now, therefore, be it

RESOLVED, that the Wayne County Attorney is authorized to settle said claim for an amount not to exceed Thirty Thousand and 00/100 (\$30,000.00) for the full amount and value of said claim.

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

RESOLUTION NO. 432-20: AUTHORIZATION TO AMEND CONTRACT WITH THE BONADIO GROUP FOR INDEPENDENT AUDIT SERVICES FOR WAYNE COUNTY

Mrs. Bender presented the following:

WHEREAS, Resolution No. 517-19 authorized the acceptance of The Bonadio Group's proposal and authorized the execution of a contract with The Bonadio Group for independent audit services at a cost of \$81,400; and

WHEREAS, Resolution No. 294-20 authorized the amendment of the contract with the Bonadio Group to include the Mental Health Consolidated Fiscal Report (CFR) at a total cost not to exceed \$84,900; and

WHEREAS, The Bonadio Group's original proposal was submitted with the assumption that prior year financial statements were accurately represented and no prior year adjustments would have to be made; and

WHEREAS, The Bonadio Group claims they spent 117 hours in excess of the amount of hours bid for the audit engagement; and

WHEREAS, fifty four of the additional hours were for corrections to prior period financial statements to ensure the activity was properly flowing through the current year as a result of those corrections; and

WHEREAS, The Bonadio Group is requesting an additional billing of \$8,000 in addition to the \$84,900 amount authorized by Resolution No. 294-20; now, therefore, be it

RESOLVED, that the agreement with the Bonadio Group is amended to include \$8,000 of funds for corrections to the prior period financial statements; and be it further

RESOLVED, that the Chairman of the Board is authorized to sign the amended agreement subject to the County Attorney's approval as to form of content.

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

RESOLUTION NO. 433-20: AUTHORIZATION TO ESTABLISH A RETIREMENT CONTRIBUTION RESERVE IN THE GENERAL FUND AND TRANSFER FUNDS

Mrs. Bender presented the following:

WHEREAS, New York State requires participation in the New York State Local Retirement System; and

WHEREAS, the participation rates for employees in this system are projected to increase over the next several years due to economic instability; and

WHEREAS, the contribution rates are established by the New York State Comptroller on an annual basis; and

WHEREAS, the County Treasurer, the Fiscal Assistant and the County Administrator have recommended that the County establish a Retirement Contribution Reserve; and

WHEREAS, General Municipal Law, Section 6-r authorizes counties and other local governments to establish such a reserve; and

WHEREAS, state law requires a Public Hearing and not less than a fifteen (15) day public notice of that hearing prior to use of funds in the Retirement Contribution Reserve Fund; and

WHEREAS, it is the desire of the Wayne County Board of Supervisors to create such a reserve in order to identify funds available for continued and future heightened retirement system contributions, as one tool to stabilize the County's future tax levies; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the creation of a Retirement Contribution Reserve Fund in the amount of two million five-hundred thousand dollars (\$2,500,000); and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer two million five-hundred thousand dollars (\$2,500,000) from the unappropriated General Fund Balance to the Retirement Contribution Reserve Fund.

Mr. Lasher moved the adoption of the resolution. Seconded by Mr. Eygnor. Upon roll call, adopted.

RESOLUTION NO. 434-20: AUTHORIZATION TO ESTABLISH A CAPITAL RESERVE FUND TO FINANCE BUILDING ALTERATIONS OR IMPROVEMENTS AND TRANSFER FUNDS

Mrs. Bender presented the following:

WHEREAS, this fund provides the financial stability and fiscal responsibility that the New York State Comptroller's Office and our bond rating agencies recommend; and

WHEREAS, prudent and responsible to establish a reserve fund pursuant to Section 6-c of the NYS General Municipal Law for the inevitable purchase or replacement to facilitate future financial planning; and

WHEREAS, the County Treasurer, the Fiscal Assistant and the County Administrator have recommended that the County establish a Capital Reserve; and

WHEREAS, General Municipal Law, Section 6-c authorizes counties and other local governments to establish such a reserve; and

WHEREAS, state law requires a Public Hearing and not less than a five (5) day public notice of that hearing prior to use of funds in the Capital Reserve Fund; and

WHEREAS, it is the desire of the Wayne County Board of Supervisors to create such a reserve in order to identify funds available, as one tool to stabilize the County's future tax levies; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the creation of a Capital Reserve Fund; and be it further

RESOLVED, pursuant to Section 6-c of the General Municipal Law, there is hereby established a capital reserve fund in the amount of one million five-hundred thousand dollars (\$1,500,000) to accumulate monies to finance the cost of building alterations or improvements; and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer one million five-hundred thousand dollars (\$1,500,000) from the unappropriated General Fund Balance to the Capital Reserve Fund.

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

RESOLUTION NO. 435-20: AUTHORIZATION TO ESTABLISH A CAPITAL RESERVE FUND TO FINANCE NON-MOTORIZED EQUIPMENT AND TRANSFER FUNDS

Mrs. Bender presented the following:

WHEREAS, this fund provides the financial stability and fiscal responsibility that the New York State Comptroller's Office and our bond rating agencies recommend; and

WHEREAS, prudent and responsible to establish a reserve fund pursuant to Section 6-c of

the NYS General Municipal Law for the inevitable purchase or replacement to facilitate future financial planning; and

WHEREAS, the purpose of the reserve fund established by this Resolution is to accumulate moneys to finance the cost of non-motorized equipment. The type of equipment to be financed from the reserve fund is for any physical public betterment or improvement; and

WHEREAS, the County Treasurer, the Fiscal Assistant and the County Administrator have recommended that the County establish a Capital Reserve to finance non-motorized equipment; and

WHEREAS, General Municipal Law, Section 6-c authorizes counties and other local governments to establish such a reserve; and

WHEREAS, state law requires a Public Hearing and not less than a five (5) day public notice of that hearing prior to use of funds in the Capital Reserve Fund; and

WHEREAS, it is the desire of the Wayne County Board of Supervisors to create such a reserve in order to identify funds available, as one tool to stabilize the County's future tax levies; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors authorizes the creation of a Capital Reserve Fund of non-motorized equipment; and be it further

RESOLVED, pursuant to Section 6-c of the General Municipal Law, as amended, hereby establish a capital reserve fund in the amount of one million dollars (\$1,000,000) to accumulate monies to finance the cost of non-motorized equipment; and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer one million dollars (\$1,000,000) from the unappropriated General Fund Balance to the Capital Reserve Fund.

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

RESOLUTION NO. 436-20: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION) - Macedon

Mrs. Bender 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 Res. No. 444-95, amended by Res. No. 700-06, which was amended by Res. No. 688-07 which was again amended by Res. No. 307-10 and subsequently amended by Res. No. 591-15 and again amended by Res. No. 524-17 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 Palmyra-Macedon 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 Res. No. 524-17 for the following Town and their respective petition:

TOWN	Property Owner	Parcel ID#	Index #(s)
Macedon	Speedway, LLC	62111-08-953917	CV085910 – 2020
		62111-08-932916	

Macedon *Crown Atlantic Co LLC & P&B Development Co LLC 63112-00-112689 CV085869 – 2020

Macedon *Walmart Stores Inc #3842 61111-00-320806 CV085916 - 2020

Macedon *Meadowview Realty, LLC 62112-00-889736 CV085981 - 2020

Macedon Jindal Films America LLC 61111-00-691932 CV085874 – 2020

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

RESOLUTION NO. 437-20: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION) - Williamson

Mrs. Bender 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 Res. No. 444-95, amended by Res. No. 700-06, which was amended by Res. No. 688-07 which was again amended by Res. No. 307-10 and subsequently amended by Res. No. 591-15 and again amended by Res. No. 524-17 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 Res. No. 524-17 for the following Town and their respective petition:

TOWN	Property Owner	Parcel ID#	Index	#(s)
Williamson	Walgreen Co, Walgreen Eastern Co Inc	65117-08-910873	CV085900 – 2020	
Williamson	Whispering Woods Estates MHC, LLC	65117-00-700699	CV085893 - 2020	

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

RESOLUTION NO. 438-20: AUTHORIZATION TO AMEND THE 2020 BUDGET FOR SUPPLEMENTAL MEDICAID UPPER PAYMENT LIMIT (UPL) PAYMENTS AND AFFIRM PAYMENT – NURSING HOME

Mrs. Bender 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 2020-2021 for a total of \$3,211,808 of which one half (\$1,605,904) will be distributed

in the Fall of 2020 and the other half in the Spring of 2021; and

WHEREAS, the payment is based on the facility's reported Medicaid days divided by the total Medicaid days for the calendar year 2018; 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 2020 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 \$802,752 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

\$802,752 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.

Mr. Johnson moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, adopted.

RESOLUTION NO. 439-20: ESTABLISHING A DATE FOR PUBLIC HEARING ON THE 2021 WAYNE COUNTY TENTATIVE BUDGET

Mrs. Bender presented the following:

WHEREAS, the Tentative Budget for the County of Wayne for the fiscal year beginning January 1, 2021, will be presented to the Board of Supervisors by November 15, 2020; 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 1, 2020 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, 2020 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. Lasher moved the adoption of the resolution. Seconded by Mr. Robusto. Upon roll call, adopted.

RESOLUTION NO. 440-20: AUTHORIZATION TO AMEND THE 2020 BUDGET FOR SUPPLEMENTAL MEDICAID UPPER PAYMENT LIMIT (UPL) PAYMENTS AND AFFIRM PAYMENT – MENTAL HEALTH

Mrs. Bender presented the following:

WHEREAS, Wayne County has been informed that monies will be made available for supplemental Medicaid Upper Payment Limit (UPL) payments to Diagnostic and Treatment Centers (DTCs), one of which is in the Wayne County Mental Health department; and

WHEREAS, the Wayne County Mental Health department supplemental payment amount

is for State fiscal year 2020-2021 for \$303,318.98 which will be distributed on or about Friday, October 30, 2020; and

WHEREAS, the payment is for County operated freestanding clinics licensed under Articles 31 and 32 of the NYS Mental Hygiene Law, for the period April 1, 2019 through March 31, 2020; and

WHEREAS, each County is responsible for transferring the local share of 50% to the State no later than Friday, October 23, 2020 prior to the corresponding 100% payment being released to the County; and

WHEREAS, the 2020 Wayne County Budget did not anticipate the Medicaid Upper Payment Limit Payment to the County, or a County Appropriation for the County 50% local share payment to the State; now, therefore, be it

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

A4300 Mental Health

(Revenues)

\$303,317.98 to 45096 Misc. Income-IGT

(Appropriations)

\$151,658.99 to 54000 Contractual Expenses

A6102 MMIS Medical Assistance

(Appropriations)

\$151,658.99 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.

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

RESOLUTION NO. 441-20: AUTHORIZATION TO CREATE ACCOUNT CLERK POSITION AND ABOLISH A SENIOR ACCOUNT CLERK IN THE WAYNE COUNTY TREASURER'S OFFICE

Mrs. Bender presented the following:

WHEREAS, the Wayne County Treasurer's Office has two Senior Account Clerk positions; and

WHEREAS, the Wayne County Treasurer has been notified that one Senior Account Clerk will be retiring effective November 13, 2020; and

WHEREAS, this position is essential to maintain effective operations of the County Treasurer's Office; and

WHEREAS, the County Administrator has asked all departments to submit efficiency plans;

WHEREAS the County Administrator has asked all departments to reduce their operating budgets for 2021; and

WHEREAS, the Senior Account Clerk is a pay grade 13 and the Account Clerk is a pay grade 10; and

WHEREAS, the County Treasurer, Deputy County Treasurer, and 2nd Deputy County Treasurer have met and reviewed office operations and believe that an Account Clerk and the realigning of duties can maintain department operations; and

WHEREAS, the Account Clerk position would be better suited to the department's needs at this time; and

WHEREAS, sufficient budget appropriations are available in the 2020 County Treasurer's budget, not requiring an amendment to the 2020 budget for this change to occur; now, therefore, be it

RESOLVED, that one Senior Account Clerk position be abolished in the Wayne County Treasurer's Office effective November 14, 2020; and be it further

RESOLVED, that one Account Clerk position be created in the Wayne County Treasurer's office to be filled effective November 14, 2020.

Mr. Robusto moved the adoption of the resolution. Seconded by Mr. Lasher. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Leonard and Verno. The Chairman declared the resolution adopted.

RULE 14 RESOLUTION

RESOLUTION NO. 442-20: AUTHORIZATION TO RESCIND RESOLUTION NO. 647-18 AND AUTHORIZE SETTLEMENT OF CLAIM – Nursing Home

Mrs. Bender presented the following:

WHEREAS, a Notice of Claim was served upon the County for a wrongful death at the Wayne County Nursing Home on October 31, 2016 that involved Wayne County Nursing Home and Nursefinders, a contracted Agency; and

WHEREAS, this Notice of Claim was sent directly to New York Municipal Insurance Reciprocal (NYMIR) to access coverage and NYMIR accepted coverage of this Claim under the County's Professional Liability; and

WHEREAS, the County has dollar one coverage for Professional Liability, which means that the County doesn't have a deductible and NYMIR is responsible for payment of the full amount of this claim; and

WHEREAS, the County's Professional Liability policy with NYMIR requires consent of the County to settle claims brought against the County; and

WHEREAS, Resolution No. 647-18 previously adopted on December 18, 2018 authorized settlement of this claim for Seventy Five Thousand (\$75,000) with a 50/50 split between the County and Nursefinders; and

WHEREAS, the County received notice on October 8, 2020 that NYMIR and Nursefinders are now desirous of settling said claim for One Hundred Fifty Thousand and 00/100 (\$150,000), with Nursefinders paying \$25,000; now, therefore, be it

RESOLVED, that NYMIR is hereby authorized to settle said Notice of Claim for an amount not to exceed One Hundred Twenty Five Thousand and 00/100 (\$125,000); and be it further RESOLVED, that Resolution No. 647-18 is hereby rescinded in its entirety.

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

OTHER BUSINESS

Mr. Chatfield moved, seconded by Mr. Lasher that one (1) item under other business be put on the floor for consideration. Upon roll call, all Supervisors voted aye. Absent - Supervisors Leonard and Verno. Motion carried.

RESOLUTION NO. 443-20: AUTHORIZATION TO SIGN AMENDMENT WITH HEALTH RESEARCH, INC FOR COVID-19 ENHANCED DETECTION FUNDING FOR CONTRACT # 6439-1

Mrs. Jacobs presented the following:

WHEREAS, Health Research, Inc. (HRI) has offered to hire qualified individuals to perform COVID-19 case investigations and contract tracing for each county; and

WHEREAS, Wayne County Public Health (WCPH) is in dire need of assistance with case investigations and contact tracing; and

WHEREAS, funding for hiring qualified individuals will come directly out of our HRI Contract # 6439-1, thus reducing WCPH's maximum reimbursable amount from \$228,711 to \$152,474 for the period of July 1, 2020 to June 30, 2022; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the Amendment from HRI for Contract #6439-1 to reduce WCPH's maximum reimbursable amount to \$152,474 to allow for the hiring of qualified individuals to perform case investigations and contact tracing activities on behalf of WCPH, subject to the approval of the County Attorney.

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

COMMITTEE OF THE WHOLE

Chairman Miller requested a motion to convene as a 'Committee of the Whole' to discuss proposed budget adjustments to the 2021 Wayne County Tentative Budget.

Mr. Verkey moved, seconded by Mr. Lasher to convene as a Committee of the Whole at 10:37 a.m. Carried.

Rick House, County Administrator and Budget Officer opened this discussion by introducing Ken Blake Fiscal Assistant; thanking the Board for this opportunity as we want to keep everyone aware of updates, discuss any concerns, questions or comments to the 2021 proposed budget while there is time to make modifications before its adoption.

Mr. Blake noted that a few adjustments have been made since the review of the 2021 tentative budget at the Finance Committee meeting last week.

There was comparisons made of sales tax revenue from last year's budget, noting similar levels from the 2020 budget.

Collections of sales tax revenue were ahead of last year's rate; revenues up until the impact of the COVID-19 Pandemic. With unstable collections, we anticipated a sharp decline in revenues since the start of the outbreak. Currently, we are seeing a surprising increase.

Mr. Blake expressed that we never anticipated that October would be a banner month in sales tax collections.

There was discussion of the projected tax rate of \$7.49 per thousand; with Mr. Blake commenting that this rate is lower than it has been in years.

Patrick Schmitt, Wayne County Treasurer addressed the board to comment that revenues are doing well because of the collection of internet sales tax and this could reflect our 'new normal.'

Supervisor Groat noted the rumors of the NYS threatening a 20% reduction of state funding to counties; and asked what we were doing to prepare for these possible cuts.

James Haitz, Director, Mental Health Department responded that his departments is anticipating that this will continue; and our departments 2021 budget is reflective of possible cuts.

Chairman Miller thanked Mr. Blake and County departments for all their work on the preparing the 2021 Wayne County Tentative Budget; and for updating the Board with these changes today.

REGULAR SESSION

Mr. Chatfield moved, seconded by Mrs. Bender that the Board convene and go into Regular Session at 11:12 a.m. Carried.

Prior to adjournment, Chairman Miller announced that in light of the current pandemic, a decision was made that we will not allow department holiday parties this year. He requested this consideration for the safety of our employees and families; as it is not appropriate to gather this year.

ADJOURNMENT TO SPECIAL BOARD MEETING

Chairman Miller announced that the board will adjourn to **Wednesday, October 28, 2020 at 9:00 a.m.** for a special meeting to consider the proposed appointment of an Interim Administrator for the Wayne County Nursing Home.

This meeting will be conducted remotely with Board Members connected via Zoom. This meeting will be viewable live for the public and media on the Wayne County NY Channel: <https://www.youtube.com/channel/UCE3rDpjhliT5krZVYnQn0tw>

The link to view the meeting will be available 10 minutes prior to the start of the session.

Looking forward to next month -

The November meeting is scheduled for Tuesday, November 17, 2020 at 9:00 a.m.

Mr. Lasher moved, seconded by Mrs. Jacobs, that the board adjourn at 11:13 a.m.
Carried.

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