

13th Day  
Tuesday, October 21, 2014  
9:00 a.m.

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

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

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

**APPROVAL OF MINUTES:**

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

**COMMUNICATIONS:**

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

A copy of the Sheriff's Cash Receipts Report dated September 18, and October 16, 2014 totaling \$29,113.34 was received and filed.

A copy of the Petition and Notice of Foreclosure for 2013 Delinquent Town and County taxes was received and filed from the Wayne County Treasurer's Office.

A Notice of a "PILOT" Agreement was received for the DNT Express Realty, LLC, from Harris Beach Attorneys and the Wayne County Industrial Development Agency.

A Notice of a "PILOT" Agreement was received for the Advanced Atomization Technologies, LLC, from Harris Beach Attorneys and the Wayne County Industrial Development Agency.

A letter of appreciation was received from Wilmore Management Group for Wayne County's show of support for the Lago Resort and Casino proposal.

A copy of a letter was received, sent to the US Environmental Protection Agency and the Secretary of the US Army, on behalf of concerned members of the NYS Association of Counties, regarding opposition to the proposed changes to the definition of the Waters of the U.S. under the Clean Water Act (Docket No. EPA-HQ-2011-0880).

A resolution was received from Yates County Legislature acknowledging the appointment of Nancy Abarca-Hernandez to the Workforce Investment Board.

A notice was received from NYS Agriculture Commissioner Richard A. Ball announcing funding to 13 County Soil and Water Conservation Districts, with Wayne County's portion of \$25,000, awarded through the NYS Ecosystem Based Management Program.

A letter was received from the Wayne County Assessors' Association encouraging this Board to support the Pictometry Capital Plan flyover project anticipated for 2015, as it has become a very valuable tool in assessment offices, county wide.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments, including the August warrants for accounts payable totaling \$2,881,649.72 was received and filed.

Ms. Park moved, seconded by Mrs. Crane to receive and file the Communications for October. Motion carried.

**PRIVILEGE OF THE FLOOR:**

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

**PROCLAMATIONS AND CERTIFICATES OF APPRECIATION:**

Miss Juliana Quigley read today's proclamation declaring the month of October as Domestic Violence Awareness Month.

Undersheriff Richard House, along with Steve LeRoy, Chairman of the Wayne County Public Safety Committee, presented a Proclamation of Appreciation to Correction Officer Nancy Gowan for her 25 years of dedicated service during her tenure with the Wayne County Sheriff's Office.

**RESOLUTION NO. 592-14: AUTHORIZATION TO EXECUTE CONTRACT WITH CHILD CARE COUNCIL, INC. IN RELATION TO CHILD CARE DEVELOPMENT BLOCK GRANT PROJECT**

Mr. Manktelow presented the following:

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

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

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

RESOLVED that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a subcontract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Child Care Council, Inc. for the provision of services required by the Contract between the Wayne County Department of Social Services and the New York State Office of Children & Family Services for the period 1/1/14 to 12/31/14 for a cost not to exceed \$120,149.

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

**RESOLUTION NO. 593-14: AUTHORIZATION TO EXECUTE CONTRACT WITH GENESEE REGION HOME CARE – ONTARIO COUNTY D/B/A HOME CARE PLUS FOR PERSONAL CARE SERVICES PROGRAM**

Mr. Manktelow presented the following:

WHEREAS, the Personal Care Services Program (PCSP) is a mandated Medicaid Program, and

WHEREAS, the New York State Department of Health (DOH) has revised and updated its model contract, and

WHEREAS, the new PCSP model reflects changes to the Personal Care Services Program between 1979 and 2005, new Federal HIPAA compliance requirements, as well as changes resulting from the transfer of this program from NYS DSS to NYS DOH in 1999, and this model contract is written pursuant to Title 11 of Article 5 of the New York Social Service Laws and Title XIX of the United States Social Security Act; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract, subject to review by the County Attorney, with Genesee Region Home Care – Ontario County D/B/A Home Care Plus for the provision of the Personal Care Services Program for the timeframe October 1, 2014 and ending September 30, 2015.

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

**RESOLUTION NO. 594-14: AGREEMENT WITH WAYNE ARC TO PROVIDE OUTREACH ACTIVITIES – HOME ENERGY ASSISTANCE PROGRAM (HEAP)**

Mr. Manktelow presented the following:

WHEREAS, Wayne County Department of Social Services (DSS) is required to contract with an alternate certifier for the Home Energy Assistance (HEAP) Program; and

WHEREAS, New York State requires that there be an "Alternate Certifier" to help

potential applicants by collecting and reviewing applications, meeting with applicants as necessary; and

WHEREAS, Wayne DSS receives a limited amount of funds to pay for such services; and

WHEREAS, Wayne ARC performed these services during the past year in a competent and timely manner; and

WHEREAS, Wayne ARC and Wayne DSS have indicated a willingness to extend the provision of such services for the 2014-2015 HEAP year by exercising Section V of the previous contract; and

WHEREAS, Section V allows the parties to extend the contract for additional periods of time upon mutual written agreement of the parties; now therefore, be it

RESOLVED, that the Agreement authorized by Resolution No. 480-13 is hereby extended for the timeframe 8/15/14 – 7/31/15 at an amount not to exceed \$26,000 to provide outreach activities as confirmed by mutual written agreement of the parties.

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

**RESOLUTION NO. 595-14: AUTHORIZATION TO AMEND 2014 AGING BUDGET A6772**

Mr. Manktelow presented the following:

WHEREAS, the Department had historically utilized the Travel line to pay for various conference expenses; and

WHEREAS, the County has created additional object codes for the Department to account for consistent expenditures in various cost centers; and

WHEREAS, there were insufficient funds allocated in the conference line; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following modifications in the Mileage and Conference appropriation lines to accurately reflect the expenditures in the 2014 Area Agency on Aging budget:

A6772-Aging Budget

(appropriations)

\$385 from 54485 Travel

\$385 to 54410 Conference

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

**RESOLUTION NO. 596-14: AUTHORIZATION TO SIGN AGREEMENT WITH CHILD CARING INSTITUTION – THE WILLIAM GEORGE AGENCY FOR CHILDREN'S SERVICES INC. THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Manktelow presented the following:

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

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

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement with The William George Agency for Children's Services, Inc. for the time frame 7/1/14-6/30/15 for the purchase of foster care for children, subject to the County Attorney's approval as to form and content for an amount not to exceed \$1,150,000.

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

**RESOLUTION NO. 597-14: AUTHORIZATION TO AMEND 2014 AGING BUDGET- 6772 AND PURCHASE EQUIPMENT**

Mr. Manktelow presented the following:

WHEREAS, NY State Office for Aging has allocated Balancing Incentive Program (BIP) funds to improve the Agencies on Aging infrastructure; and

WHEREAS, IT informed the Department that there are 12 desk top computers and two (2) laptop computers, one (1) projector and three (3) laser printers that need to be replaced because they are being phased out or are not working; and

WHEREAS, the total cost of required to replace the computers is \$9,225; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following modifications to the Revenue and Computer Equipment appropriation lines to reflect the changes in the 2014 Area Agency on Aging budget; and be it further

RESOLVED, that the Dept of Aging and Youth be authorized to purchase twelve (12) desk top computers and two (2) laptop computers, one (1) projector and three (3) laser printers in the amount of \$9,225

A6772-Aging Budget

(Revenues)

\$9,225.00 TO 43772 State Aid Program for Aging

\$9,225 TO .52201 Computer Equipment

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

**RESOLUTION NO. 598-14: AUTHORIZATION TO PURCHASE RUNAWAY PROGRAM SERVICE GUIDES AND RUNAWAY PROGRAM BROCHURES**

Mr. Manktelow presented the following:

WHEREAS, the Department of Aging and Youth provides direct services for the Wayne County Runaway Program; and

WHEREAS, the Department of Aging and Youth Service Guides and Runaway Brochures are distributed to schools, families and youth as a resource guide; and

WHEREAS, the following quotes were received for brochures and service guides; therefore be it

|                             | Runaway Brochures – 1,000 | Service Guides-1,000 |
|-----------------------------|---------------------------|----------------------|
| Wayuga Community Newspapers | \$239.52                  | \$69.00              |
| Sunrise Imaging             | \$220.00                  | \$120.00             |
| Key Industries              | \$272.00                  | \$102.00             |

RESOLVED, the Department of Aging and Youth is authorized to contract with Sunrise Imaging to print 1,000 brochures describing the Runaway Program for a total cost of \$220.00. The Department of Aging and Youth is authorized to contract with Wayuga Community Newspapers to print 1,000 service guides for a total cost of \$69.00. Total cost for 1,000 brochures and 1,000 service guides is \$289.00.

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

**RESOLUTION NO. 599-14: AUTHORIZATION TO RENEW CONTRACT WITH FINGER LAKES WORKS FOR TITLE V SENIOR EMPLOYMENT SERVICES FOR THE DEPARTMENT OF AGING AND YOUTH**

Mr. Manktelow presented the following:

WHEREAS, the Older American Act allocates Title V funding to the local Area Agencies on Aging to provide employment and training services to income eligible seniors over 55; and

WHEREAS, the Department of Aging and Youth contracts with Finger Lakes Works to provide subsidized employment and training services for persons 55 and older; and

WHEREAS, New York State Office for the Aging (NYSOFA) recently provided the Department the Title V contract allocation in the amount of \$37,114 for Finger Lakes Works for employment services; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and

directed to execute a contract on behalf of the Department of Aging and Youth for the provision of Title V Senior Employment Services with Finger Lakes Works in the amount of \$37,114 for the contract year from July 1, 2014 through June 30, 2015.

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

**RESOLUTION NO. 600-14: APPROVAL OF REQUEST FOR APPOINTMENT TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD**

Mr. Manktelow presented the following:

WHEREAS, this Board, has authorized the creation of the Finger Lakes Workforce Development Board for the Counties of Wayne, Yates, Seneca and Ontario in compliance with the Workforce Development Investment Act (WIA) of 1998; and

WHEREAS, the Workforce Investment Board members must be appointed by the respective Legislative Boards; and

WHEREAS, the Executive Director has solicited nominations in accordance with the Law; and

WHEREAS, Mr. Theodore Jordan has left this Workforce Investment Board appointment (also of PathStone Corporation) and Nancy Hernandez will fill his unexpired term, (she is the newly appointed Regional Administrator); and

WHEREAS, the Finger Lakes Workforce Investment Board by-Laws state voting members shall be appointed for terms of three (3) years, and that terms shall be staggered; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors appoint Ms. Nancy Hernandez, Regional Administrator for PathStone Corporation, for a term of November 1 to June 30, 2016 to finish out the Public Sector Representative vacant appointment of Theodore Jordan; and be it further

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

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

**RESOLUTION NO. 601-14: AUTHORIZATION TO TRANSFER FUNDS FOR THE PURCHASE AND INSTALLATION OF DECALS FOR VETERANS SERVICES BUS AND AMEND BUDGET**

Mr. Manktelow presented the following:

WHEREAS, the Veterans Services Office has received delivery on its new bus; and  
WHEREAS, the Veterans Services Director would like to have appropriate decals installed on the bus; and

WHEREAS, the Veterans Services Agency has received donations toward the purchase of the vehicle and related expenses, said donations are being held by the County Treasurer in an agency account; now, therefore, be it

RESOLVED, that Wayne County hereby acknowledges receipt of the donations referenced herein; and

RESOLVED that the Director of Veterans Services is hereby authorized have decals installed on the bus at a cost not to exceed ~~\$500~~; and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer ~~\$500~~ of the donations received to the General Fund and to make the following budget adjustments:

**A6510 Veterans Services**

(revenues)

~~\$500~~ to .42705 Donations

(appropriations)

~~\$500~~ to .54114 Car Expense

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

Mr. Manktelow moved to amend the resolution, seconded by Ms. Park, to amend the first and second RESOLVED clauses, as follows:

“RESOLVED that the Director of Veterans Services is hereby authorized have decals installed on the bus at a cost not to exceed \$1,000; and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$1,000 of the donations received to the General Fund and to make the following budget adjustments:

**A6510 Veterans Services**

(revenues)

\$1,000 to .42705 Donations

(appropriations)

\$1,000 to .54114 Car Expense”

Motion carried.

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

**RESOLUTION NO. 602-14: AUTHORIZING BUSINESS ASSOCIATE AGREEMENT WITH LEADINGAGE NEW YORK TECHNOLOGY SOLUTIONS, LLC FOR EQUIP FOR QUALITY PROGRAM FOR THE WAYNE COUNTY NURSING HOME**

Mr. Groat presented the following:

WHEREAS, Wayne County Nursing Home contracts with LeadingAge New York for the usage of EQUIP for Quality Program; and

WHEREAS, LeadingAge New York has created a new affiliate company called LeadingAge New York Technology, LLC that supports the EQUIP for Quality Program; and

WHEREAS, LeadingAge New York Technology Solutions, LLC has updated their Business Associate Agreement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute a Business Associate agreement with LeadingAge New York Technology Solutions, LLC for the Wayne County Nursing Home for utilizing the for EQUIP for Quality Program. Business Associate Agreement is subject to the County Attorney’s approval as to form and content.

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

**RESOLUTION NO. 603-14: AUTHORIZATION TO CONTRACT WITH MINIMUM DATA SET SOLUTION FOR SCORES SOFTWARE END-USER LICENSE AGREEMENT (EULA) FOR THE WC NURSING HOME**

Mr. Groat presented the following:

WHEREAS, Scores Software is a software developed by Minimum Data Set Solutions, Inc. (MDS) and licensed to MDS; and

WHEREAS, the Wayne County Nursing Home is desires to utilize the software and documentation, and any ancillary and supportive materials to potentially increase reimbursement for the nursing home; and

WHEREAS, the fee is \$600 a month for one year; and

WHEREAS; the term shall be from 11/1/14 to 10/31/15 then renew automatically for one year period unless terminated earlier; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Minimum Data Set Solutions, Inc. for the provision of Scores Software End-User License, subject to the County Attorney’s approval as to form and content, for the period of 11/1/14 to 10/31/15 at a fee of \$600 a month, then renew automatically for one year period unless terminated earlier.

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

**RESOLUTION NO. 604-14: AUTHORIZING AGREEMENT WITH EXCELLUS HEALTH PLAN,**

**INC FOR ELECTRONIC CLAIM SUBMISSION FOR THE WAYNE COUNTY NURSING HOME**

Mr. Groat presented the following:

WHEREAS, Wayne County Nursing Home wishes to amend its contract with Excellus Health Plan, Inc. to submit claims and related inquires electronically to engage in delivering health care services; and

WHEREAS, such electronic exchange is more convenient, reduces time and costs for both parties; now, therefore, be it

RESOLVED, that Chairman of the Board of Supervisors is authorized and directed to execute an agreement with Excellus Health Plan for the Wayne County Nursing Home for electronic claim submission to effective November 1, 2014 to October 31, 2015, and renew automatically thereafter at no cost to the nursing home. Agreement is subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 605-14: AUTHORIZATION TO EXECUTE A CONTRACT WITH FINGER LAKES COMMUNITY HEALTH FOR THE PROVISION OF SEXUALLY TRANSMITTED DISEASES DIAGNOSIS AND TREATMENT SERVICES**

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) is mandated by Public Health Law Article 23 and 10 NYCRR 40-2.80 & 2.81 to ensure the provision of sexually transmitted diseases (STD) diagnosis and treatment services are available to the residents of Wayne County; and

WHEREAS, WCPH has been providing STD diagnosis and treatment services directly through the WCPH STD Clinic; and

WHEREAS, the STD Clinic has seen a dramatic decline in attendance to the STD clinic over the past two years and can no longer justify the need for the county to continue to provide this service directly; and

WHEREAS, WCPH wishes to contract with Finger Lakes Community Health (FLCH) to provide timely STD diagnosis and treatment services beginning on January 1, 2015; and

WHEREAS, FLCH will be compensated for expenses incurred as follows:

- o Pharmaceuticals are to be billed at cost
- o All eligible services are to be billed at prevailing Medicaid Rates. The Current Medicaid Rate is \$108.61 per visit. The Medicaid rate of payment will be updated annually

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Finger Lakes Community Health to provide sexually transmitted diseases diagnosis and treatment services at the rates referenced herein beginning on January 1, 2015 and ending on December 31, 2015, with the approval of the County Attorney as to form and content.

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

**RESOLUTION NO. 606-14: AUTHORIZATION TO AMEND RESOLUTION NO. 165-13 TO EXECUTE CONTRACTS WITH PROVIDERS OF APPROVED SPECIAL EDUCATION SERVICES OR PROGRAMS**

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently has a contract with Wayne ARC to provide approved special education services or programs pursuant to Section 4410 of the Education Law; and

WHEREAS, WCPH wishes to add the following service, psychological consultation by sub-contracting with a NYS approved provider of services for preschool age children with

handicapping conditions at \$58.00 per half hour, for the period of April 1, 2014 to June 30, 2015; now, therefore, be it

RESOLVED that the Chairman of the Board of Supervisors is hereby authorized to amend Resolution No.165-13 to add psychological consultation services, by sub-contracting with a NYS approved provider of services for preschool age children with handicapping conditions at \$58.00 per half hour, for the period of April 1, 2014 to June 30, 2015, subject to the approval of the County Attorney as to form and content.

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

**RESOLUTION NO. 607-14: AUTHORIZATION TO CONDUCT PARTICIPANT DRAWING AND TO PURCHASE TELEVISION AS A PRIZE FOR EMERGENCY PREPAREDNESS DRILL**

Mr. Groat presented the following:

WHEREAS, Wayne County Public Health (WCPH) is required by the New York State Department of Health (NYSDOH) to perform a Medical Counter Measure Point of Dispensing drill to ensure readiness for a real world event; and

WHEREAS, WCPH is required to have at least 185 individuals attend such drill in order to exercise our prescribed throughput; and

WHEREAS, WCPH has had difficulty in past drills obtaining enough participants; and  
WHEREAS, WCPH has identified funds in the 2014 budget to allow for a purchase of a flat screen television, for an amount not to exceed \$500, to be used as a free drawing for individuals who participate in the drill, now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes a prize drawing as an incentive for individuals to participate in the Medical Counter Point of Dispensing drill; and be it further

RESOLVED, that the Director of Wayne County Public Health is hereby authorized to purchase a flat screen television, at a cost not to exceed \$500, to be used as a prize in the drawing for individuals who participate in the Medical Counter Measure Point of Dispensing drill.

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

**RESOLUTION NO. 608-14: AUTHORIZATION TO ESTABLISH CONTRACT OF AFFILIATION BETWEEN WAYNE BEHAVIORAL HEALTH NETWORK AND KEUKA COLLEGE FOR STUDENT FIELD INTERNSHIP EDUCATION**

Mr. Groat presented the following:

WHEREAS, Keuka College has established educational programs in various health related programs, and as such they desire to have certain students receive fieldwork educational experiences at Wayne Behavioral Health Network; and

WHEREAS, Wayne Behavioral Health Network (WBHN) is willing to accept said students for such purposes from Keuka College as WBHN is a teaching facility; and

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

RESOLVED that the Chairman of the Wayne County Board of Supervisors, subject to County Attorney approval as to form and content, is authorized to renew a contract between Keuka College and Wayne Behavioral Health Network to establish and provide students with fieldwork educational internships at WBHN through December 31, 2015.

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

**RESOLUTION NO. 609-14: AUTHORIZATION TO ESTABLISH CONTRACT FOR STATE 30 WAIVER ON BEHALF OF DR. IUSTINIAN RUSU, M.D., TO PROVIDE MEDICAL SERVICES IN WAYNE COUNTY, NEW YORK**

Mr. Groat presented the following:

WHEREAS, according to the NYS Department of Health (DOH), Wayne County is a Health Professional Shortage Area (HPSA) for psychiatry. Due to Wayne County's vast, rural geographical area, the lack of adequate insurance coverage for psychiatric services, and the attractiveness of a more lucrative urban psychiatry setting in Rochester, Wayne County has found it difficult to attract and retain psychiatric talent. Moreover, with a nationwide shortage of psychiatrists expected to reach 22,500 physicians by 2015, the lack of rural psychiatrists will only widen. The NYS DOH states that the shortage of psychiatrists in NYS alone is expected to be between 1,182 and 2,653 psychiatrists by 2030; making the prospects grim for adequate rural psychiatric care in Wayne County. During the same time frame (i.e., present day till 2030), the demand for psychiatric services is expected to increase by up to 28%. The demand is expected to be far greater for adolescent and geriatric psychiatry, sub-specialties that will be critical to cover the vast population demographic shifts (i.e., increase in numbers of elderly and adolescents, per capita) that lay ahead; and

WHEREAS, the Wayne County Department of Mental Health (WCDMH) and Wayne Behavioral Health Network (WBHN) is an "interested governmental agency" wishing to initiate a recommendation to the United State Department of State for a waiver of Section 212(e) of the Immigration Act for Dr. Iustinian Rusu, a psychiatrist and foreign medical professional, which would allow Dr. Rusu to continue to practice in the United States; and

WHEREAS, Wayne County and WCDMH & WBHN are located in a designated Mental Health Provider Shortage Area (Health Professional Shortage Area- HPSA area) and WBHN is also a federally designated underserved health care site; and

WHEREAS, WBHN would like to retain Dr. Rusu to work in Wayne County following his Forensic Fellow Training with WBHN and given he is also a child specialist in psychiatry; and

WHEREAS, as a required part of the recommendation and waiver process application, WBHN, as a potential designated employment site, along with Dr. Rusu, who will be required to make a minimum of a 3-year employment commitment with WBHN, all parties are required to establish a contract detailing those commitments to each other as part of the application for the waiver; now, therefore, be it

RESOLVED, that the Director of Mental Health, subject to County Attorney approval as to form and content, is hereby authorized to develop a contract to facilitate the State 30 Waiver application on behalf of Dr. Rusu; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Iustinian Rusu, M.D. to provide medical services in Wayne County, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 610-14: AUTHORIZATION TO SET SALARY FOR NURSING HOME ASSISTANT DIRECTOR OF NURSING**

Mr. Groat presented the following:

WHEREAS, the Nursing Home Assistant Director of Nursing position became vacant on September 5, 2014; and

WHEREAS, the current starting salary for the position of Assistant Director of Nursing (ADON) is below the annualized wages of the Nursing Supervisors which report to the ADON; and

WHEREAS, the current highest annualized wages of Nursing Supervisors is \$65,931.00;

and

WHEREAS, the recommended salary is within the salary range established for the position, but is above the amount the County Administrator can approve; now, therefore, be it

RESOLVED, that the Assistant Director of Nursing position salary is set at not to exceed \$68,000.

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

**RESOLUTION NO. 611-14: ACCEPTING BIDS FOR COLLECTION SERVICES FOR OVERDUE BILLS (AGING ACCOUNTS) FOR THE WAYNE COUNTY NURSING HOME**

Mr. Groat presented the following:

WHEREAS, that the Board of Supervisors have duly advertised for bids for Collection Services for Overdue Bills (Aging Accounts) for the Wayne County Nursing Home in accordance with the provisions of Section 103 of the General Municipal Law; and

WHEREAS, the bid received by **Health Care Support Advisors (HCSA)** is deemed non-responsive/non-conforming by the County Attorney; and

WHEREAS, the bid received by **Betz-Mitchell Associates (BMA)** meets the specifications as issued and hereby recommended; and

WHEREAS, the term of the agreement shall be effective 11/1/14 to 10/31/15, then renew for two (2) additional one (1) year periods; now, therefore be it

RESOLVED, that said bid is hereby accepted for the amount of nine (9) percent of recovered amounts for accounts 0-120 days and eighteen (18) percent of recovered amounts for accounts 120 days and older referred for collection; and the contract for Collection Services for Overdue Bills (Aging Accounts) for the Wayne County Nursing Home is hereby awarded to **Betz-Mitchell Associates (BMA)** effective 11/1/14 to 10/31/15 and renew for two (2) additional one (1) year periods. Agreement is subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that Resolution No. 483-14 authorizing contracting with **Health Care Support Advisors (HCSA)** is hereby rescinded.

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

**RESOLUTION NO. 612-14: AUTHORIZATION TO DECLARE EQUIPMENT SURPLUS IN BOARD OFFICE**

Mrs. Crane presented the following:

WHEREAS, the Board of Supervisors' Office currently has a surplus computer located in the Chairman's Office that is no longer needed and wishes to declare the following item as surplus equipment:

1 (one) Dell Computer Optiplex GX620, County ID No. 002245

now, therefore, be it

RESOLVED, that the Board of Supervisors is hereby authorized to declare the above listed item as surplus equipment and authorize the Wayne County Information Technology Office to take possession of the unit for possible re-assignment.

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

**RESOLUTION NO. 613-14: ESTABLISHING SALARY PLAN FOR MEMBERS AND CHAIRMAN OF THE WAYNE COUNTY BOARD OF SUPERVISORS 2015-2018**

Mrs. Crane presented the following:

WHEREAS, members of the Wayne County Board of Supervisors last salary increase was enacted for 2009; and

WHEREAS, the Chairman of the Board of Supervisors and the Government Operations Committee have reviewed the Board Member salary history for Wayne County; and

WHEREAS, the Board of Supervisors desires to clearly establish the plan by which

salary changes for the members of the Board of Supervisors will be made through 2018; and WHEREAS, the Board of Supervisors and Chairman's salaries will increase by 3 percent for 2015; and

WHEREAS, the Board of Supervisors and Chairman's salaries will increase 1.5 percent per year for the year 2016 through 2018; now therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby establishes the following salary schedule for the years 2015 through 2018:

| Year           | Member   | Chairman's<br>Additional |
|----------------|----------|--------------------------|
| 2014 (current) | \$15,095 | \$20,338                 |
| 2015           | \$15,548 | \$20,948                 |
| 2016           | \$15,781 | \$21,262                 |
| 2017           | \$16,018 | \$21,581                 |
| 2018           | \$16,258 | \$21,905                 |

and be it further

RESOLVED, that in accordance with Public Notice requirements, the Board of Supervisors will continue to annually adopt the Board of Supervisors salary amounts in each year for the ensuing year utilizing the salary schedule referenced herein.

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

Mr. Baldrige requested a long roll call vote, commenting that he would not be supporting this, nor the next proposed resolution regarding salary schedule and raises for board members, as he feels it is premature for this consideration before the 2015 budget is adopted.

Upon roll call, all Supervisors voted Aye except Supervisor Baldrige who voted Nay. The Chairman declared the resolution adopted.

**RESOLUTION NO. 614-14: ADOPTING 2015 SALARY SCHEDULE FOR THE BOARD OF SUPERVISORS AND THE CHAIRMAN OF THE BOARD**

Mrs. Crane presented the following:

WHEREAS, the County of Wayne needs to establish a salary for the Members of the Board and the Chairman of the Board of Supervisors for 2015; and

WHEREAS, the last such salary adjustment was made in 2008 for 2009; and

WHEREAS, the Budget Officer will allocate sufficient funds for the salaries listed below for 2015; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby adopts the following salary schedule for the Board of Supervisors for the year 2015:

|                       |          |
|-----------------------|----------|
| Supervisors           | \$15,548 |
| Chairman of the Board | \$20,948 |

Mr. Smith moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, all Supervisors voted Aye except Supervisor Baldrige who voted Nay. The Chairman declared the resolution adopted.

**RESOLUTION NO. 615-14: APPOINTING CHARLES A. DYE AS DIRECTOR OF HUMAN RESOURCES FOR A SIX-YEAR TERM COMMENCING NOVEMBER 19, 2014**

Mrs. Crane presented the following:

WHEREAS, the current term of the Director of Human Resources expires on November 18, 2014; and

WHEREAS, the County Administrator has recommended the reappointment of Charles A. Dye for another six-year term as Director of Human Resources; and

WHEREAS, the Government Operations Committee has reviewed the recommendation and is also recommending the reappointment; now, therefore be it

RESOLVED, that Charles A. Dye is hereby reappointed as Director of Human Resources

for a six-year term commencing on November 19, 2014 and ending November 18, 2020.

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

**RESOLUTION NO. 616-14: AUTHORIZATION TO RENEW CONTRACT WITH LIFETIME BENEFIT SOLUTIONS FOR FLEXIBLE SPENDING ACCOUNT AND HEALTH REIMBURSEMENT ACCOUNT ADMINISTRATION FOR THE PERIOD BEGINNING JANUARY 1, 2015**

Mrs. Crane presented the following:

WHEREAS, the County of Wayne has established a Flexible Spending Account Plan (FSA) and Health Reimbursement Accounts Plan (HRA) for employees in conformance with the IRS code, and

WHEREAS, the County of Wayne has previously contracted with EBS-RMSCO (resolution 259-11) to provide administrative services for the FSA and HRA plans, and

WHEREAS, Lifetime Benefit Solutions (formerly EBS-RMSCO) wishes to continue to provide FSA and HRA administration, and

WHEREAS, it is advantageous for the County to continue to contract with Lifetime Benefit Solutions to provide these administration services, and

WHEREAS, Lifetime Benefit Solutions has established a minimum fee of \$99.00 per month, plus \$3.10 per enrollee in one benefit (FSA or HRA plan) and the same rate for an enrollee in two benefits (FSA and HRA Plans), now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Lifetime Benefit Solutions for the administration of the HRA and FSA Plans at the rates noted above for the period January 1, 2015 through December 31, 2015, and be it further

RESOLVED, that the County Treasurer is authorized to pay such monthly fees as are billed by Lifetime Benefit Solutions.

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

**RESOLUTION NO. 617-14: SETTING DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW MERGING THE DUTIES AND FUNCTIONS OF THE OFFICE OF COUNTY HISTORIAN INTO THE OFFICE OF THE WAYNE COUNTY CLERK, PURSUANT TO SECTION 10 (1)(II)(A)(1) OF THE MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK**

Mrs. Crane presented the following:

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on Tuesday, November 18, 2014 at 9:10 a.m. in the Supervisors' Chambers in the County Court House, Lyons, New York, on the following proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK  
INTRO NO 6/LOCAL LAW NO. \_\_\_ FOR THE YEAR 2014**

A local law merging the duties and functions of the office of County Historian into the office of the Wayne County Clerk, pursuant to Section 10 (1) (ii) (a) (1) of the Municipal Home Rule Law of the State of New York.

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

**SECTION 1: LEGISLATIVE INTENT**

The Office of the County Historian for the County of Wayne was created by Resolution No. 17-1944. Since 1944 the Office of the County Historian was formerly, for a time, known as the Office of Tourism and History, but the name of this office was changed to the Office of the County Historian by Resolution No. 685-1997. It is the intent of the County of Wayne to now merge the Office of the County Historian into the Office of the Wayne County Clerk as a means to maximize efficiencies and to streamline organizational structure. This merger would further coordinate storage of historical county records, thereby more effectively meeting the needs of the County residents and the public to access to such records.

**SECTION 2: MERGER OF OFFICE OF THE COUNTY HISTORIAN WITH THE OFFICE OF THE WAYNE COUNTY CLERK**

Pursuant to the provisions of Section 10 of the Municipal Home Rule Law, the Office of the Wayne County Historian and all its related functions and duties are merged into the functions and duties conducted by the Office of the Wayne County Clerk. The position of County Historian shall hereafter and on the effective date of this Local Law be under the supervision and direction of the Wayne County Clerk, to whom the County Historian shall report.

The County Historian shall continue to have all of those duties and responsibilities as set forth in the Arts and Cultural Affairs Law, Section 57.09, including the duty to collect and preserve material relating to the history of the County of Wayne, and to file such material.

The salary and any other compensation now paid to the County Historian shall remain unchanged by the enactment of this Local Law.

**SECTION 3: EFFECTIVE DATE**

This Local Law shall take effect January 1, 2015

**SECTION 4: SEVERABILITY**

If any clause, sentence, paragraph, subdivision, section or port of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgment shall not effect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

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

**RESOLUTION NO. 618-14: ADOPTION OF COUNTY POLICY ESTABLISHING PROTOCOLS FOR PROCESSING OF COUNTY CONTRACTS**

Mrs. Crane presented the following:

WHEREAS, the County of Wayne contracts for goods and services in the conduct of the affairs of municipal government; and

WHEREAS, it is the responsibility of the separate Department Heads to negotiate terms of agreement with the various vendors, suppliers and contractors to meet the needs and requirements of their respective Departments, Offices or Agencies, subject to the approval of the County Attorney; and

WHEREAS, the legal rights, responsibilities and obligations of vendors, suppliers and contractors to the County of Wayne are determined according to the terms of contracts executed between the County of Wayne and the vendors, suppliers and contractors; and

WHEREAS, it is imperative to protect the interests of Wayne County taxpayers by having written contracts in place prior to the delivery of goods and services, and performance of other obligations to the County of Wayne; and

WHEREAS, County contracts for goods and services and performance of other obligations to the County of Wayne are prepared or reviewed by the County Attorney's Office prior to the time these contracts are executed by the Chairman of the Board of Supervisors on behalf of the County; and

WHEREAS, the County Attorney's Office previously developed guidelines for contract processing protocols which were distributed at a meeting of Department Heads with the County Administrator on or about September 25, 2012; now, therefore, be it

RESOLVED, that the Board of supervisors hereby adopts the following guidelines as a formal written County Policy to govern the manner in which contracts shall be processed by the various municipal Departments, Offices and Agencies encompassed within the County of Wayne:

**WAYNE COUNTY**  
**CONTRACT PROCESSING PROTOCOL**

Due to an increasing number of outstanding contracts which Vendors have not returned to the County Attorney's Office, and the ensuing problem caused by Vendors demanding or expecting payment for services rendered when no contract for the service is in place, the following is now adopted as a County Policy setting forth protocols for processing contracts for each department, agency or office:

**FIRST:** Not less than three (3) months prior to the contract renewal, the Department head must send to the County Attorney's Office a fully executed Contract Approval Form.

- A. This Contract Approval Form will provide with respect to each contract the following information:
1. Vendor
  2. Description of Services to be provided (i.e. scope of services)
  3. Term of the contract
  4. Dollar Amount of the Contract
  5. Vendor contact person name and phone number

**SECOND:** When the Contract Approval Form is received from the Department Head by the County Attorney's Office, the contract will be drafted. After the Contract is drafted it will be reviewed initially by the County Attorney; after logging into the contract tracking database, the contract will then be sent to the Vendor for signature.

- A. The Vendor must then return the signed contract to the County Attorney's Office along with the required IRS Form W-9, and along all required insurance forms (i.e. worker's comp., Disability, General Liability).
- B. The contracts and Insurance forms will then be reviewed by the Self-Insurance Specialist for sufficiency.

**THIRD:** After the vendor returns the signed the contract, then it will be submitted to the Department Head for review and specific approval by the Department Head in writing as to the content of the Contract. The Contract is then to be returned to the County Attorney's Office.

**FOURTH:** Upon the Self-Insurance Specialist's approval of the Insurance forms, the contracts now signed by the Department Head and the Vendor will be held at the County Attorney's Office pending preparation by the Department Head of a Resolution approving the Contract to be submitted to the respective committee at the next committee meeting, and the following Board of Supervisors Meeting.

**FIFTH:** After the Committee approves the Resolution, and the full Board of Supervisors passes the Resolution approving the contract, the contract will then be submitted to the Chairman of the Board for signature, thereby providing the final approval of the County to the contract. Copies of the contract will then be circulated to the Department Head, the Vendor, and the original will be retained

in the County Attorney's Office. Resolutions will not be presented to the County Administrator, the respective standing committees, nor to the full Board of Supervisors until the contract is ready to be executed by the County.

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

**RESOLUTION NO. 619-14: AUTHORIZATION TO PURCHASE COMPUTER FOR BOARD OF SUPERVISORS OFFICE AND AMEND BUDGET**

Mrs. Crane presented the following:

WHEREAS, the laptop computer currently utilized by the Secretary to the Chairman in the Board of Supervisors' Office is in need of replacement to be purchased off New York State contract; now, therefore, be it

RESOLVED, that the IT Department shall be authorized to purchase on laptop computer for the Board of Supervisors' Office, in association with the current New York State purchasing contract for computer equipment, at a cost not to exceed \$1,300; and be it further

RESOLVED, that the County Treasurer is hereby authorized to make the following line item transfer within the 2014 County budget, to facilitate the above detailed purchase:

A1990 Contingent Fund Gen

(appropriations)

\$1,300 from .54000 Contractual Expenses

A1010 Legislative Board

(appropriations)

\$1,300 to 52291 Computer Equipment

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

**RESOLUTION NO. 620-14: RESCINDING OUTDATED PERSONNEL POLICY FOR MANAGERIAL AND CONFIDENTIAL EMPLOYEES**

Mrs. Crane presented the following:

WHEREAS, the Board of Supervisors has adopted a Salary Administration Plan for the Managerial and Confidential (M/C) employee group; and

WHEREAS, Resolution No. 382-14 established pay grades for the M/C employee group; and

WHEREAS, Resolution No. 383-14 established pay schedules (rates) for the M/C employee group; and

WHEREAS, Resolution No. 383-14 established procedures defining how salaries and wages are established for all employees in the M/C group; and

WHEREAS, this Salary Administration Plan now takes the place of the policy previously adopted by the Board in Resolution No. 232-82; now, therefore, be it

RESOLVED, that Resolution No. 232-82 is hereby rescinded and removed from the Wayne County Policy Book.

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

**RESOLUTION NO. 621-14: AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH PUBLIC SECTOR HR CONSULTANTS LLC FOR FY 2015**

Mrs. Crane presented the following:

WHEREAS, the Board of Supervisors adopted Resolution No. 383-13 authorizing the services of Public Sector HR consultants LLC (consultant) to analyze the Managerial/Confidential employee group (M/C) and develop a Salary Administration plan for this group; and

WHEREAS, the Board adopted a series of resolutions in June of 2014 to implement this Salary Administration plan; and

WHEREAS, as new positions are added to the M/C employee group or existing positions

are modified, these positions must be integrated into the M/C plan; and  
 WHEREAS, the integrity of the plan is enhanced by having this analysis performed by the consultant; and  
 WHEREAS, the Salary Administration plan also includes a performance appraisal component; therefore be it  
 RESOLVED, that the Chairman of the Board is hereby authorized to execute the contract with Public Sector HR Consultants LLC to:  
 a) evaluate new and /or reclassified positions and integrate them into the existing Salary Administration plan  
 b) conduct salary surveys as needed and requested by the County  
 c) conduct refresher training on performance evaluation as needed and requested by the County  
 and be it further  
 RESOLVED, that this agreement will be effective for one year (January 1, 2015 through December 31, 2015).  
 Mr. Manktelow moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

**RESOLUTION NO. 622-14: ADJUSTMENT OF SPECIFIED MANAGEMENT AND CONFIDENTIAL EMPLOYEES TO RESOLVE SALARY COMPRESSION WITH EMPLOYEES WHOM THEY SUPERVISE**

Mrs. Crane presented the following:  
 WHEREAS, the Board of Supervisors has adopted a salary plan for the Managerial and Confidential employees group (M/C); and  
 WHEREAS, certain employees in this group supervise other employees in one or more of the County's collective bargaining units and may also supervise other M/C employees; and  
 WHEREAS, the County's consultant on the M/C study recommended that a 10% differential be maintained between supervisors and those employees whom they supervise; and  
 WHEREAS, the adopted M/C Salary Administration Program has sufficient flexibility to allow salary adjustments within the ranges established for 2014; and  
 WHEREAS, the County Administrator informed the Board of Supervisors on June 17 that a salary compression analysis would be performed and recommendations made to the Board to address all issues identified by the analysis; and  
 WHEREAS, the Director of Human Resources inadvertently omitted one employee in the compression analysis submitted to the Board in September; now, therefore, be it  
 RESOLVED, that the following wage adjustment will be made retroactive to the start of the first full pay period after the June 2014 Board meeting, specifically June 20, 2014.

| <u>Name</u>    | <u>Pay grade</u> | <u>Adjusted Base Wage Rate</u> |
|----------------|------------------|--------------------------------|
| Lund, Michelle | 4                | \$19.98                        |

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

**RESOLUTION NO. 623-14: AUTHORIZATION TO AMEND BUDGET FOR THE INDUSTRIAL DEVELOPMENT SITE PROGRAM**

Mr. Spickerman presented the following:  
 WHEREAS, the Wayne County Board of Supervisors has established the Industrial Development Site Program Fund as a tool to encourage the extension of public infrastructure so that industry can expand and grow in Wayne County; and  
 WHEREAS, Wayne County funds the Industrial Site Development program; and  
 WHEREAS, the program will provide one third of the cost of a public infrastructure project, up to a maximum of \$100,000, to be matched by two thirds from local, state, federal or private funds; and  
 WHEREAS, that the Industrial Development Site Program has had significant activity

during the last year developing public infrastructure, and the Fund needs to be replenished; and

WHEREAS, that the County received an unbudgeted onetime revenue of \$250,488.99 related to recycling grants for the former Solid Waste Management Authority; and

WHEREAS, that the County is desirous is appropriating \$250,000 of the stated onetime revenue to the Industrial Development Site Program Fund; now, therefore, be it

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

**A8160 Solid Waste Management**

(Revenue)

\$250,000 to 43716 State Aid

**A63264 Economic Development Admin**

(Appropriations)

\$250,000 to 54553 Industrial Site Development

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

**RESOLUTION NO. 624-14: AUTHORIZATION TO EXECUTE CONTRACT FOR WEBSITE MAINTENANCE FOR WAYNE COUNTY TOURISM**

Mr. Spickerman presented the following:

WHEREAS, the Office of the Tourism maintains a tourism website; and

WHEREAS, the website has a yearly website maintenance fee through Web Solutions of NY; now, therefore, be it

RESOLVED, that a contract be hereby authorized at a cost not to exceed \$2,500.00 from 2015 budget per quote from Web Solutions of New York; and be it further

RESOLVED, that the Chairman of the Board is hereby authorized to execute this contract upon appropriate review by the Office of the County Attorney.

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

**RESOLUTION NO. 625-14: AUTHORIZING INDEPENDENT AUDIT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SUB-RECIPIENT AND AMENDING BUDGET**

Mr. Spickerman presented the following:

WHEREAS, Wayne County has a responsibility to ensure that sub-recipients of grant funds are in compliance with the terms of grants; and

WHEREAS, it is advisable to authorize an audit of Candy Apple Day Care, a grant sub-recipient; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute a contract with \_\_\_\_\_ in the amount not to exceed ~~\$40,000~~; and be it further

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

**A1990 Contingent Fund General**

~~\$40,000~~ from .54000 Contractual Expenses

**A1320 County Auditor**

~~\$40,000~~ to .54000 Contractual Expenses

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

Mr. Spickerman moved, seconded by Mr. LeRoy, to amend the second and third RESOLVED clauses, as follows:

“RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute a contract with The Bonadio Group in the amount not to exceed \$8,500 with the approval of the County Attorney as to form and content; and be it further

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

**A1990 Contingent Fund General**

\$8,500 from .54000 Contractual Expenses

**A1320 County Auditor**

\$8,500 to .54000 Contractual Expenses"

Motion carried.

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

**RESOLUTION NO. 626-14: AUTHORIZATION TO AMEND PUBLIC WORKS 2014 PARKS BUDGET**

Mr. Miller presented the following:

WHEREAS, the Parks Department had to make emergency repairs to a large culvert pipe that had collapsed on the County trail west of the Black Brook Park; and

WHEREAS, the work was performed by the Highway Department at a significant cost saving to the County; and

WHEREAS, the cost for material to make said repairs was approximately \$10,000.00; and

WHEREAS, this cost was not anticipated or budgeted in the Parks 2014 Budget; and WHEREAS, this has caused the Building Maintenance & Repairs account (.54407) in the Parks budget exceed the approved budget amount for 2014; and

WHEREAS, there are still maintenance and repairs items that need to complete this year within the Parks Department; and

WHEREAS, the Superintendent of Public Work has identified some cost saving in the Buildings & Grounds Budget due to reduction in Equipment Maintenance Contract cost; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is authorized to amend the 2014 budget as follows;

**A1615 Buildings & Grounds**

\$ 10,000 from .54424 Equipment – Maintenance Contracts

**A7110 Parks**

\$ 10,000 to .54407 Building Maintenance

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

**RESOLUTION NO. 627-14: AUTHORIZATION TO AMEND PUBLIC WORKS BUILDING & GROUNDS BUDGET FOR THE PURCHASE OF SURFACE MOUNTED CIGARETTE RECEPTACLES FOR THE COUNTY OFFICE BUILDING ENTRANCE AT 16 WILLIAM STREET**

Mr. Miller presented the following:

WHEREAS, currently there is no place to dispose of cigarette butts near the entrance of the County Office Building located at 16 William St; and

WHEREAS, the cigarette butts normally end up thrown on the ground in front of the building and in the sidewalk tree planters creating an unattractive appearance to the County building; and

WHEREAS, the Deputy Superintendent of Public Works has sourced an architectural appealing surface mounted style cigarette receptacle that can be placed on the building near the two entryways for smokers to dispose of the cigarette butts properly; and

WHEREAS, the cost of these receptacle is \$160.11 each for and total of \$320.22; and

WHEREAS, the Buildings and Grounds budget has unexpended funds within their Equipment budget line; now, therefore, be it

RESOLVED, the Public Works Department is authorized it purchase two (2) cigarette receptacles for a cost of \$320.22; and be it further

RESOLVED, that the Wayne County Treasurer is authorized to amend the 2014 budget as follows:

A1615 Buildings & Grounds

\$ 200 from .52300 Motor Vehicles

\$ 200 to .52500 Other Equipment

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

**RESOLUTION NO. 628-14: AUTHORIZE PURCHASE OF THREE FLASHING BEACONS AND AMEND HIGHWAY BUDGET**

Mr. Miller presented the following:

WHEREAS, the Superintendent of Public Works has suggested that three flashing beacons be installed adjacent to a curve on Canandaigua Road (CR 308) in the Town of Macedon; and

WHEREAS, these beacons can be purchased at a cost of approximately \$3100 each, but were not included in the 2014 Highway Budget; now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Superintendent of Public Works to purchase and install three flashing beacons; and be it further

RESOLVED, that the County Treasurer is hereby authorized transfer \$9,300 from the D Fund Balance and to amend the 2014 County Budget as follows:

**D5111 – ROAD STRIPING AND SIGN MAINTENANCE:**

\$9,300 to .54100 Supplies and Materials

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

**RESOLUTION NO. 629-14: AUTHORIZATION TO EXECUTE COUNTY/TOWN CONTRACTS FOR SNOW AND ICE CONTROL ON WAYNE COUNTY HIGHWAYS**

Mr. Miller 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, 2015 and ending on December 31, 2015; 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 2015, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 630-14: ESTABLISH FEE SCHEDULE FOR USE OF PARK FACILITIES IN WAYNE COUNTY PARKS AND AUTHORIZE IMPLEMENTATION OF FEE SCHEDULE**

Mr. Miller presented the following:

WHEREAS, Section Thirty-One of the Wayne County Parks Laws allows the Board of Supervisors, by resolution, from time to time as it deem appropriate, may establish fees to be charged for utilization of parks facilities; and

WHEREAS, the Superintendent of Public Works has made the following fees

recommendations:

**FEE SCHEDULE FOR USE OF PARK FACILITIES IN WAYNE COUNTY PARKS**

|    |                                  |                  |             |          |
|----|----------------------------------|------------------|-------------|----------|
| 1. | Forman House (including kitchen) | Enclosed         | 80 persons  | \$125.00 |
| 2. | Forman Pavilion #1               | Enclosable       | 150 persons | \$85.00  |
| 3. | Partially Enclosed Pavilions     | 2-Sides Enclosed | 50 persons  | \$60.00  |
| 4. | Open Pavilions                   | Open (No Sides)  | 50 persons  | \$40.00  |

now, therefore, be it

RESOLVED, that the above Fee Schedule for use of parks facilities in the Wayne County Parks is hereby approved and adopted, and the Superintendent of Public Works is hereby authorized and directed to implement the fee schedule effective January 1<sup>st</sup>, 2015; and be it further

RESOLVED, that the following rules shall apply:

1. Reservation may be made Monday through Friday 7:00a.m. – 3:30p.m., except Holidays beginning the first business day of January of each year.
2. Permits shall be issued on a first come basis.
3. At the time of reservation, payment in full shall be made to Wayne County Public Works Department.
4. Reservation for current year can be made by telephone at the Public Work Department Buildings and Grounds office 7312 Route 31, Lyons, NY 14489 (315)-946-5836. Telephone reservation must be confirmed by payment within ten (10) days or they will be cancelled. No personal checks shall be accepted for payment less than fourteen (14) business days prior to the date of rental.
5. Credit/Debit card shall be accepted as payment, fees associated with their use will be passed along to the person requesting to use a credit/debit card.
6. Any cancellations or changes after payment has been received shall result in a \$10.00 handling fee.
7. Applications shall only be accepted from adults 21 years of age or older and a resident of Wayne County. The permit holder assumes the responsibility for all damages to Park property and for the conduct of their group in compliance with the Wayne County Park Law.

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

**RESOLUTION NO. 631-14: AUTHORIZATION TO RENEW TERM CONTRACTS FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR VARIOUS COUNTY PROJECTS FOR FUTURE NEEDED SERVICES**

Mr. Miller presented the following:

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

WHEREAS, these agreements will expire on October 31<sup>st</sup>, 2014; and

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

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

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

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to renew the current contracts with SWBR Architects, Lu Engineers, Labella Associates and Hunt Engineers, subject to the County Attorney's review, for provision of On-Demand General Architectural, Engineering, Consulting and Testing Services for one additional year starting November 1<sup>st</sup> 2014 and terminating on October 31<sup>st</sup>, 2015.

Mr. Colacino moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll

call, adopted.

**RESOLUTION NO. 632-14: AUTHORIZATION TO RENEW PARKING LOT LEASE AGREEMENT WITH NYSEG**

Mr. Miller presented the following:

WHEREAS, the lease with NYSEG for parking in their lot located between William Street and Geneva Street expired on August 31st, 2014; and

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

WHEREAS, the fee for said lease has remained at \$3,500.00 per year; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the lease agreement for parking as provided by NYSEG subject to review and approval of the County Attorney; and be it further

RESOLVED, that the Superintendent of Public Works is authorized to pay said bill from 2014 Budget line item A16154.54437.

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

**RESOLUTION NO. 633-14: AUTHORIZATION TO CONTRACT WITH LU ENGINEERS FOR ASBESTOS SURVEY AND AMEND REAL PROPERTY BUDGET**

Mr. Miller presented the following:

WHEREAS, the County is the current owner of a property at 43 Shuler Street in the Village of Lyons; and

WHEREAS, the County is in receipt of a letter from the Village of Lyons stating that the property is extremely blighted and a danger to the public health and welfare and should be demolished; and

WHEREAS, the Superintendent of Public Works has received a price quote from Lu Engineers to perform an asbestos survey and prepare a report on the findings at 43 Shuler Street; and

WHEREAS, this cost for this work by Lu Engineers was not included in the 2014 Wayne County Budget; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized ~~and directed~~ to enter into an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Lu Engineers for Asbestos related services at 43 Shuler Street at a cost not to exceed \$3,500.00, and be it further

RESOLVED, that the Wayne County Treasurer is authorized to amend the 2014 budget as follows:

A1990 Contingent Fund General

\$ 3,500 from .54000 Contractual Expenses

A1355 – Assessment Real Property

\$ 3500 to .54000 Contractual Expenses

Mr. Colacino moved the adoption of the resolution. Seconded by Mr. Hammond.

Mr. Miller moved, seconded by Mrs. Crane, to amend the resolution in the first RESOLVED clause by striking out the words "and directed". Motion carried.

Upon roll call, the Chairman declared the resolution adopted.

**RESOLUTION NO. 634-14: AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE REPLACEMENT OF CARPET IN THE DEPARTMENT OF SOCIAL SERVICES BUILDING**

Mr. Miller presented the following:

WHEREAS, the Commissioner of Social Services has budgeted in the 2014 budget year to begin replacing carpeting within the Department of Social Service building at 77 Water St; and

WHEREAS, due to the amount of carpeting that is needed to be replaced the Superintendent has requested to solicit bid for said work; now, therefore, be it

RESOLVED, that the Superintendent of Public Works is authorized to prepare specifications for public bid, subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the Clerk of the Board is hereby designated and directed to publicly open the bid(s) at the time and place specified in the bid documents.

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

**RESOLUTION NO. 635-14: AUTHORIZATION TO AWARD CONTRACT TO MODERN MASONRY FOR INSTALLATION OF CONCRETE FLOOR IN SAVANNAH PATROL BARN COLD STORAGE BUILDING**

Mr. Miller presented the following:

WHEREAS, in 2013 a new Cold Storage Building was installed at the Savannah Patrol Barn on Messenger Road in the Town of Savannah; and

WHEREAS, the Superintendent of Public Work was intending to install a 6" concrete floor; and

WHEREAS, the project fund still has \$9,512.00 available; and

WHEREAS, the Superintendent of Public Work has requested quotes from three contractors, Nicoletta Building Contractors, Jim Lares Mason and Modern Masonry for said work; and

WHEREAS, these quote were due by Friday, September 26 at 2:00 pm and the following quotes were received:

| <b>Contractors</b>  | <b>Base Bid</b> |
|---|-----------------|
| Jim Lares Mason Contractor<br>8315 Barner Rd.<br>Port Byron, NY 13140 | \$14,300.00     |
| Modern Masonry<br>2042 Daboll Rd<br>Clyde, NY 14433                   | \$11,352.00     |

and

WHEREAS, Modern Masonry has provided additional cost saving as per the RFP instruction of \$1,852.00 for final grading work to be preformed by County Forces and the removal of fiber mesh additive in the floor; and

WHEREAS, the revised cost is \$9,500.00; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Modern Masonry for the installation of a 6" Concrete Floor at the Savannah Patrol Barn for a cost of \$9,500.

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

**RESOLUTION NO. 636-14: AUTHORIZATION FOR PUBLIC WORKS DEPARTMENT TO BID EMERGENCY ASSISTANCE SYSTEM TO BE INSTALLED AT NYE ROAD BUILDING FOR ALL DEPARTMENTS AND AMEND BUDGET**

Mr. Miller presented the following:

WHEREAS, the County currently has installed Emergency Assistance Call Systems in several of its buildings including the Social Services Building, William Street Building, 26 Church Street Building, and at the 9 Pearl Street Building; and

WHEREAS, when constructed the Nye Road Building had an in-building alert system installed in it, but the system has been problematic for many years and does not have the capability to summon law enforcement assistance when needed; and

WHEREAS, the Assistant Superintendent of Public Works has reviewed the system options over the past several months; and

WHEREAS, after review by the County Administrator and the Public Works Committee it has been determined that a system similar in style to other systems currently in place in other buildings is the best option for the Nye Road Building; now, therefore, be it

RESOLVED, that the Public Works Department is authorized to bid for the installation of an Emergency Assistance 'panic button' system for the Nye Road Building subject to the approval of the County Attorney as to form; and be it further

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

**A1990 Contingent Fund General**

\$40,000 from .54000 Contractual Expense

**A1615 Buildings and Grounds**

\$40,000 to Other Equipment

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

**RESOLUTION NO. 637-14: AUTHORIZATION TO PURCHASE EQUIPMENT FOR THE OFFICE OF THE PUBLIC DEFENDER PURSUANT TO THE TERMS OF A THREE YEAR GRANT BETWEEN WAYNE COUNTY AND NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES. CONTRACT NUMBER C000354 COVERING THE TERM OF JUNE 1, 2013 THROUGH MAY 31, 2016**

Mr. LeRoy presented the following:

WHEREAS, pursuant to Wayne County Resolution No. 432-13, the Wayne County Public Defender's Office was authorized to pursue funding from the New York State Office of Indigent Legal Services for funding to upgrade the informational technology equipment used by the Public Defender's Office over a term of three years, at no cost to Wayne County for the purchase of the technological equipment; and

WHEREAS, pursuant to Contract C000354 between New York State Office of Indigent Legal Services and Wayne County, a grant has been awarded to Wayne County in the sum of \$247,713, for a three year term from June 1, 2013 through May 31, 2016; and

WHEREAS, pursuant to the provisions and funding provided under said Contract C000354, the Wayne County Public Defender is granted the sum of \$7,571 annually during said three year period to purchase technological upgrades, software and equipment; and

WHEREAS, pursuant to Wayne County Resolution No. 171-14, the Wayne County Public Defender was authorized to purchase through the assistance of the Wayne County Information and Technology Department, the following equipment at a sum not to exceed \$15,142, for the 2013 and 2014 grant period as contained in the adopted 2014 Wayne County Budget:

- 5 Personal Computers
- 4 Laptops
- 1 Color Printer
- 4 Sets of Mice and Key Boards
- 14 Licenses of Microsoft Office 2013
- 5 Black and White Printers

now, therefore, be it

RESOLVED, that the Wayne County Public Defender is hereby authorized to purchase through the assistance of the Wayne County Information and Technology Department, the following equipment, not to exceed, together with the cost of the items authorized by Resolution No. 171-14, the original sum of \$15,142 for the 2013 and 2014 grant period as contained in the adopted 2014 Wayne County Budget:

- 4 Personal Computers
- 1 Laptop with Docking Station
- 1 Additional License of Microsoft Office 2013

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

**RESOLUTION NO. 638-14: AUTHORIZATION ESTABLISH TRUST ACCOUNT FOR THE WC PROBATION DEPARTMENT**

Mr. LeRoy presented the following:

WHEREAS, two members of the Probation Department are part of the U.S. Secret Service (USSS) Computer Forensic Task Force; and

WHEREAS, USSS Task Force members' agencies are eligible to receive forfeiture funds; and

WHEREAS, these funds can not be used to supplant Probation's budget but must be used to enhance Probation services; and

WHEREAS, these funds can be expended over a multi-year period; now, therefore, be it

RESOLVED, that the Wayne County Treasurer's Office is authorized to establish a Trust Account to deposit forfeiture funds received by the Probation Department.

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

**RESOLUTION NO. 639-14: AUTHORIZATION TO CONTRACT WITH VICTOR B. CHAMBERS, ESQ. TO ACT AS ASSIGNED COUNSEL ADMINISTRATOR**

Mr. LeRoy presented the following:

WHEREAS, Resolution No. 29-14 authorized Wayne County to contract with Victor B. Chambers, Esq. to act as Assigned Counsel Administrator at a rate of \$75.00 per hour total contract not to exceed Fourteen Thousand and 00/100 (\$14,000.00) for a term that commenced January 1, 2014 and terminated December 31, 2014; and

WHEREAS, Victor B. Chambers, Esq. is willing to continue to provide said services to the County at a rate of compensation of \$75.00 an hour for a contract amount not to exceed \$14,000.00 for a period commencing January 1, 2015 and terminating December 31, 2015; now, therefore, be it

RESOLVED, that Chairman of Wayne County Board of Supervisors is authorized to enter into an agreement subject to the County Attorney's review and approval with Victor B. Chambers, Esq. to act as Assigned Counsel Administrator. Compensation shall be at a rate of \$75.00 an hour for a contract amount not to exceed \$14,000.00 for the period, commencing January 1, 2015 and terminating December 31, 2015.

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

**RESOLUTION NO. 640-14: AUTHORIZATION TO CONTRACT WITH VICTOR B. CHAMBERS, ESQ. TO ACT AS ASSIGNED COUNSEL ADMINISTRATOR (APPELLATE COUNSEL)**

Mr. LeRoy presented the following:

WHEREAS, Resolution No. 28-14 authorized Wayne County to enter into an agreement with Victor B. Chambers, Esq. to act as Assigned Counsel Administrator regarding Appellate Counsel to review, audit and recommend approval or disapproval of claims filed by attorneys appointed pursuant to Article 18B of the County Law at a rate of \$75.00 per hour for a term that commenced on January 1, 2014 and terminated December 31, 2014; and

WHEREAS, Mr. Chambers is willing to continue to provide said services to the County at the same rate of \$75.00 per hour for a term commencing January 1, 2015 through December 31, 2015; now therefore be it

RESOLVED, that Chairman of Wayne County Board of Supervisors is authorized to enter into an agreement subject to the County Attorney's review and approval with Victor B. Chambers, Esq. to provide the County with services consisting of Appellate Counsel Administrator to assign appellate counsel and to review, audit, recommend approval or disapproval of claims pursuant to Article 18B of the County law. Compensation shall be at a

rate of \$75.00 an hour. The term of said agreement shall commence January 1, 2015 and terminate December 31, 2015.

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

**RESOLUTION NO. 641-14: AUTHORIZATION TO ENTER INTO A PARTICIPATION AGREEMENT WITH GOVERNMENT PAYMENT SERVICE, INC. FOR PROCESSING CREDIT AND DEBIT CARDS FOR SHERIFF'S CIVIL OFFICE**

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Sheriff's Office since 2005 has utilized the services of Government Payment Service, Inc., 7102 Lakeview Parkway West Drive, Indianapolis, Indiana, for the processing of credit and debit cards for persons wishing to post bail for inmates incarcerated in the Wayne County Jail; and

WHEREAS, the Sheriff is requesting authorization to utilize the same service for the processing of credit and debit cards for persons having financial transactions with the Sheriff's Civil Office for civil related fees and payments; and

WHEREAS, the services of Government Payment Service, Inc. are at no cost to Wayne County; and

WHEREAS, a participation agreement needs to be entered into with Government Payment Service, Inc. for such debit and card services for the Sheriff's Civil Office; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and the Wayne County Sheriff are hereby authorized and directed to execute a Participation Agreement on behalf of the County of Wayne with Government Payment Service, 7102 Lakeview Parkway West Drive, Indianapolis, Indiana, at no cost to County taxpayers; and be it further

RESOLVED, that such agreement shall be effective upon the date it is fully executed by Wayne County and Government Payment Services, Inc., automatically renewing for additional one year periods, not to exceed 5 years, and subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 642-14: AUTHORIZATION TO AMEND THE 2014 COUNTY BUDGET FOR AN OFFICE OF HOMELAND SECURITY 2013 "OPERATION STONEGARDEN" GRANT PROGRAM**

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Sheriff's Office has been awarded a no cash match 2013 "Operation Stonegarden" grant from the Office of Homeland Security, in the amount of \$29,000.00; and

WHEREAS, a stipulation of the grant is that said funds must be used to assist in border security on and along Lake Ontario and the adjoining bays in Wayne County; and

WHEREAS, said grant funds are dedicated for the purchase of Mobile Data Terminals and operational overtime and fuel/maintenance expenses for the Marine Patrol; at no cost to County taxpayers; and

WHEREAS, the Sheriff is requesting that such grant be accepted by the County and authorization be granted to purchase Mobile Data Terminals, at a cost not to exceed \$18,000.00; expended Marine Patrol overtime, at a cost not to exceed \$3,500.00; and expended funds not to exceed \$7,500.00 on Marine Patrol vessel fuel and maintenance, as authorized by such grant; now, therefore, be it

RESOLVED, that the Sheriff and the Chairman of the Board of Supervisors are hereby authorized to execute any agreements associated with the 2013 "Operation Stonegarden" grant, and the Sheriff be authorized to purchase Mobile Data Terminals, at a cost not to exceed \$18,000.00; expend Marine Patrol overtime, at a cost not to exceed \$3,500.00, and expend

funds not to exceed \$7,500.00 on Marine Patrol fuel and maintenance costs, as authorized by such grant, and no cost to County taxpayers and upon review and approval of the County Attorney; and further, be it

RESOLVED, that Wayne County Treasurer is hereby authorized to establish project accounts for revenue and appropriations for the 2013 "Operation Stonegarden" grant program and directed to amend the 2014 County Budget as follows:

**Account No A3114 - Road Patrol**

(Revenue)

| Amount     | Object#  | Object Name                 | Project ID | Project ID Name |
|------------|----------|-----------------------------|------------|-----------------|
| \$3,500.00 | to 44302 | Homeland Securities Federal | STG13      | STONEGARDEN 13  |

(Appropriations)

| Amount     | Object#  | Object Name | Project ID | Project ID Name |
|------------|----------|-------------|------------|-----------------|
| \$3,500.00 | to 51904 | Overtime    | STG13      | STONEGARDEN 13  |

Account No A3114 – Sheriff

(Revenue)

| Amount   | Object#  | Object Name                 | Project ID | Project ID Name |
|----------|----------|-----------------------------|------------|-----------------|
| \$18,000 | to 44302 | Homeland Securities Federal | STG13      | STONEGARDEN 13  |

(Appropriations)

| Amount      | Object#  | Object Name        | Project ID | Project ID Name |
|-------------|----------|--------------------|------------|-----------------|
| \$18,000.00 | to 52201 | Computer Equipment | STG13      | STONEGARDEN 13  |

Account No A3111 – Rec Safety

(Revenue)

| Amount     | Object#  | Object Name                 | Project ID | Project ID Name |
|------------|----------|-----------------------------|------------|-----------------|
| \$7,500.00 | to 44302 | Homeland Securities Federal | STG13      | STONEGARDEN 13  |

(Appropriations)

| Amount     | Object#  | Object Name  | Project ID | Project ID Name |
|------------|----------|--------------|------------|-----------------|
| \$7,500.00 | to 54105 | Boat Expense | STG13      | STONEGARDEN 13  |

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

**RESOLUTION NO. 643-14: AUTHORIZATION TO ACCEPT A NEW YORK STATE LEGISLATIVE GRANT FOR LAW ENFORCEMENT EQUIPMENT AND MODIFY THE 2014 BUDGET**

Mr. LeRoy presented the following:

WHEREAS, Sheriff Virts has obtained a New York State Legislative grant for law enforcement related equipment in the amount of \$30,000.00; and

WHEREAS, said grant funds are designated for the purchase of tasers for the Court Security officers and body cameras for the Road Patrol deputies; and

WHEREAS, the Sheriff is requesting that said grant be accepted by the County, the 2014 County Budget be modified and authorization be granted to purchase stated equipment authorized under said grant; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and the Sheriff are hereby authorized and directed to execute any 2014 New York State legislative grant documents for such legislative grant to the Wayne County Sheriff's Office, subject to review and approval by the Wayne County Attorney; and be it further

RESOLVED, that the Sheriff is hereby authorized to purchase Tasers and body cameras at a total cost not to exceed \$30,000.00, with no cost to County taxpayers; and further, be it

RESOLVED, that Wayne County Treasurer is hereby authorized to establish project accounts for revenue and appropriations for the 2014 legislative grant to the Wayne County Sheriff and directed to modify the 2014 County Budget as follows:

**Account No A3114 - Road Patrol**

(Revenue)

| Amount      | Object# | Object Name             | Project ID | Project ID Name |
|-------------|---------|-------------------------|------------|-----------------|
| \$30,000.00 | 43322   | State Legislative Grant | LEG14      | LEGISLATIVE14   |

(Appropriations)

| Amount | Object# | Object Name | Project ID | Project ID Name |
|--------|---------|-------------|------------|-----------------|
|--------|---------|-------------|------------|-----------------|

\$30,000.00 52500 Other Equipment LEG14 LEGISLATIVE14

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

**RESOLUTION NO. 644-14: AUTHORIZATION FOR SOLE SOURCE PURCHASE FOR MULTI-FORCE DOOR TRAINING SIMULATOR**

Mr. LeRoy presented the following:

WHEREAS, the purchase of a Forcible Entry Door Training Simulator is authorized in the 2014 Wayne County Budget Equipment Listing Addendum in the amount of \$6,500; and

WHEREAS, the actual cost of the simulator is \$6,200 plus \$584 in shipping and handling costs for a total cost of \$6,784; and

WHEREAS, the additional \$284 is available in the same A3410.2500 Other Equipment Mutual Aid Equipment Line; and

WHEREAS, this patented door system (patent no: US 8,408,917 B2) is a training tool, which will enhance the fire fighters and law enforcement skills in gaining entry into doors to perform life saving techniques and faster entry into hazardous environments; and

WHEREAS, Firehouse Innovations Corp is the sole manufacturer and maintains total control of this supply; and

WHEREAS, upon investigation, it has been determined that Firehouse does not use any distributors or dealers and is the only source that can provide the required item at this time; now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby declares Firehouse Innovations Corp as a sole source manufacturer/provider for "Multi-Force Door (Forcible Entry Door Training Simulator)" and be it further

RESOLVED, that the Director of Disaster Preparedness is authorized to purchase of one Multi-Force Door (Forcible Entry Door Training Simulator) from Firehouse Innovations Corp. for a price of \$6,200 plus \$584 in shipping costs.

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

**RESOLUTION NO. 645-14: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH PST TECHNOLOGIES, INC. FOR E911 COMMUNICATIONS**

Mr. LeRoy presented the following:

WHEREAS, PST Technologies, Inc., of Herndon, VA, is the vendor used to supply and support the mobile computing message switch server and mobile software used by 911 and all law enforcement agencies in the county; and

WHEREAS, the County has maintained a maintenance contract with PST Technologies on an ongoing basis since the inception of the mobile computing program in 1999; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an agreement with PST Technologies, Inc. for continuation of maintenance and support services for the period of November 1, 2014 through October 31, 2015, at a cost of \$12,000, with such agreement subject to the approval of the County Attorney as to form and content.

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

**RESOLUTION NO. 646-14: AUTHORIZATION TO ACCEPT 2013-14 PUBLIC SAFETY ANSWERING POINT GRANT AND AMEND BUDGET**

Mr. LeRoy presented the following:

WHEREAS, Wayne County has been advised that it has received a 2013-14 Public Safety Answering Point Grant in the amount of \$89,253 with no local match required; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors shall be

authorized to execute an agreement with the State of New York accepting said grant, subject to the approval of the County Attorney as to form and content; and be it further

RESOLVED, that the Treasurer is authorized to amend the 2014 budget as follows:

**H19352 Enhance 911 Emergency Telephone**

(Revenues)

| Amount | Object # | Object Name                | Project ID | Project ID Name |
|--------|----------|----------------------------|------------|-----------------|
| 89,253 | To 43395 | Wireless 911 Grant Program | WGP13      | 2013-14 WGP     |

**H19352 Enhance 911 Emergency Telephone**

(Appropriations)

| Amount | Object # | Object Name                      | Project ID | Project ID Name |
|--------|----------|----------------------------------|------------|-----------------|
| 89,253 | To 52000 | Equipment & Other Capital Outlay | WGP13      | 911 Recorder    |

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

**RESOLUTION NO. 647-14: AUTHORIZATION FOR INSTALLATION OF CELLULAR DATA MODEMS FOR THE DEPARTMENT OF EMERGENCY MANAGEMENT**

Mr. LeRoy presented the following:

WHEREAS, there existed a need to install cellular data modems in Sheriff Office and Local Police Department vehicles, which have already been received and installed; and

WHEREAS, this service was anticipated and budgeted in the 2014 budget; now, therefore, be it

RESOLVED, the Department of Emergency Management shall be authorized to pay for the installation services of cellular modems to Finger Lakes Communications, at a cost of \$300 per vehicle for 67 vehicles plus a one-time charge of \$1,842 for a total cost of \$21,942 from account A36424.4400.

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

**RESOLUTION NO. 648-14: AUTHORIZATION TO AMEND THE COUNTY AUDITOR BUDGET FOR COMPUTER EQUIPMENT PURCHASE**

Ms. Park presented the following:

WHEREAS, the IT Department has determined that the County Auditor's computer uses the XP operating system which is no longer supported by Microsoft and recommends the replacement of this computer at a cost of \$431.00; and

WHEREAS, due to a vacancy in the internal audit clerk position during 2014, funds are currently available within the County Auditor's budget to fund this necessary purchase; now, therefore, be it

RESOLVED, that the County Auditor is hereby authorized to purchase computer equipment at a cost not to exceed \$431.00; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2014 County Budget as follows:

**A13201 County Auditor**

(appropriations)

\$ 431.00 from .51587 Internal Audit Clerk

**A13202 County Auditor**

(appropriations)

\$ 431.00 to .52201 Computer Equipment

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

**RESOLUTION NO. 649-14: AUTHORIZATION TO TRANSFER FUNDS FROM THE CONTINGENT ACCOUNT TO THE LIABILITY AND CASUALTY LINE ITEM IN THE COUNTY ATTORNEY'S BUDGET (A19314.54998)**

Ms. Park presented the following:

WHEREAS, the County had budgeted \$25,000 for 2014 for its Liability and Casualty line item in the County Attorney's budget (A19314.54998) from which repair of County vehicles are paid; and

WHEREAS, the County has expended \$23,742.45 from this line item through October 1, 2014; and

WHEREAS, the County Attorney and the Insurance Specialist believe that an additional \$10,000 will be required for the remainder of 2014; now, therefore, be it

RESOLVED; that the County Treasurer is hereby authorized to amend the 2014 County Budget as follows:

A1990- CONTINGENT FUND GEN:

\$10,000 from .54000 Contractual Expense

A1931 – LIABILITY AND CASUALTY RESERVE

\$10,000 to .54998 Liability and Casualty

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

**RESOLUTION NO. 650-14: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION)**

Ms. Park presented the following:

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

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

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

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

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

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

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

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

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

| <u>TOWN</u> | <u>Property Owner</u>      | <u>Parcel ID#</u>                  | <u>Index #(s)</u> |
|-------------|----------------------------|------------------------------------|-------------------|
| Macedon     | DB Properties LLC          | 61112-00-275327<br>61112-00-259374 | 2014-77421        |
| Macedon     | SPOON Exhibit Services Inc | 62113-00-397719                    | 2014-77442        |

|            |                                 |                   |            |
|------------|---------------------------------|-------------------|------------|
| Macedon    | CVS Albany, LLC                 | 62111-06-358764   | 2014-77443 |
| Palmyra    | Bamberger Wayne Properties, LLC | 65111-05-174865   | 2014-77472 |
|            |                                 | 64111-11-748685   |            |
|            |                                 | 64111-11-735653   |            |
|            |                                 | 64111-11-737509   |            |
|            |                                 | 64111-12-773735   |            |
|            |                                 | 64111-11-625642   |            |
|            |                                 | 64111-11-651564   |            |
|            |                                 | 64111-11-733561   |            |
|            |                                 | 64111-11-518610   |            |
|            |                                 | 64111-11-914730   |            |
|            |                                 | 64111-12-918604   |            |
|            |                                 | 64111-12-756646   |            |
|            |                                 | 64111-12-756623   |            |
|            |                                 | 64111-11-749673   |            |
|            |                                 | 64111-11-726589   |            |
|            |                                 | 64111-11-520649   |            |
| Williamson | Whispering Woods MHC, LLC       | 65117-00-700699   |            |
|            |                                 | + annexed parcels | 2014-77466 |
| Williamson | Cornwall Family Lakefront Entpr | 65119-00-976659   | 2014-77459 |
| Williamson | Rite Aid Corporation            | 65117-08-910873   | 2014-77375 |

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

**RESOLUTION NO. 651-14: RESOLUTION AUTHORIZING INSURANCE COST REIMBURSEMENT AND AMEND 2014 BUDGET**

Ms. Park presented the following:

WHEREAS, Supervisor Colacino has submitted an insurance cost reimbursement request for out-of-pocket payments made by him for Health Insurance for the year 2013 through October 2014; and

WHEREAS, a precedent exists for making payments of insurance reimbursement for prior years; and

WHEREAS, pursuant to Resolution No. 669-02, policy governing the members of the Board of Supervisors entitles those members not enrolled in the county's Health Insurance Program to be reimbursed for fifty percent out-of-pocket expenses for health insurance coverage; and

WHEREAS, the request for reimbursement payments for the year 2013 through October 2014 totaling \$8,250.71, reflects 50% of the out-of-pocket expenses paid by Supervisor Colacino:

|       |                                |
|-------|--------------------------------|
| 2013  | \$ 4,834.63                    |
| 2014  | \$ <u>3,416.08</u> (10 months) |
| Total | \$ 8,250.71                    |

now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to reimburse Supervisor Colacino for fifty percent of personal insurance costs incurred for the years and amounts contained within this resolution; and be it further

RESOLVED, that the County Treasurer is hereby directed to amend the 2014 County Budget as follows:

**A1010-LEGISLATIVE BOARD:**

\$8,250.71 to .54600 Misc

**A1990-CONTINGENT FUND GEN:**

\$8,250.71 from .54000 Contractual Expense

Prior to voting, Mr. Colacino requested a long roll call vote for this resolution.

Mrs. Marini moved the adoption of the resolution. Seconded by Mr. Smith. Upon roll call, all Supervisors voted Aye. Mr. Colacino Abstained from voting. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 652-14: ADOPTING REVISED MINIMUM INSURANCE STANDARDS FOR CONTRACTUAL AGREEMENTS**

Ms. Park presented the following:

RESOLVED, that Resolution No. 517-88, Resolution No. 564-89, and Resolution No. 422-14 are hereby rescinded; and be it further

RESOLVED, that the following minimum contractual insurance standards are hereby approved and adopted:

**CATEGORY I: MINIMUM INSURANCE STANDARDS FOR THIRD-PARTY CONTRACTORS (OTHER THAN INDIVIDUAL PROFESSIONAL PRACTITIONERS)**

**A. INSURANCE REQUIREMENTS**

The contractor shall furnish:

1. ACCORD Form 25 - Certificate of Insurance to evidence all liability coverages as outlined below;
2. A copy of the applicable Additional Insured endorsement form evidencing the coverage endorsed onto the liability policies below
3. New York State Workers' Compensation Form C105.2 or New York State Insurance Fund form U26.3 to evidence New York State workers' compensation coverage;
4. A copy of the applicable Waiver of Subrogation Endorsement Form, evidencing the coverage endorsed onto the workers' compensation policy, either on a specific/schedule or blanket basis.

a. General Liability

Premises/Operations  
Products/Completed Operations  
Independent Contractors  
Contractual Liability  
Personal Injury  
Broad Form Property Damage  
Explosion, Collapse and Underground Hazard  
Bodily Injury and Property Damage \$1,000,000 each occurrence  
Products/Completed Operations Limit \$1,000,000 aggregate  
Personal Injury/Advertising Injury Limit \$1,000,000 aggregate  
General Aggregate Limit \$2,000,000

b. Automobile Liability

Owned, Hired and Non-Owned Autos  
(Symbol "1" on Business Auto Policies)  
Combined Single Limit for Bodily Injury \$1,000,000 per occurrence

c. Excess "Umbrella" Liability

Combined Single Limit for Bodily Injury  
and Property Damage \$2,000,000 each occurrence

d. Professional Liability (if applicable) \$1,000,000 per claim  
\$2,000,000 aggregate

e. Workers' Compensation and Employers' Liability

Statutory coverage complying with New York State Workers' Compensation Law

B. The County of Wayne and its officers, employees, and agents shall be named as Additional Insureds under the liability policies issued for the above coverages.

C. A Waiver of Subrogation in favor of The County of Wayne and its officers, elected

officials, employees, and agents shall apply to Workers' Compensation policy listed above.

- D. Completed Operations coverage must be maintained and evidenced for at least two (2) years after completion of the project.
- E. All certificates of Insurance must be approved by either the Wayne County Attorney or the Self-Insurance Specialist prior to commencing work under the contract.
- F. The insurance carriers providing the above coverages shall be licensed to do so in New York State and shall also be rated no lower than "A-" by the most recent Best's Key Rating Guide or Best's Agent's Guide or must be otherwise acceptable to the County Board of Supervisors.
- G. It is expressly understood and agreed by the Contractor that the insurance requirements specified above contemplates the use of occurrence liability forms. If claims-made coverage is evidenced to satisfy any of these requirements the contractor shall comply with the following requirements:
  - 1. If the claims-made coverage terms designate a specific retroactive date, the contractor shall maintain a retroactive date which is not later than the earlier of
    - a. the date of the commencement of the term of this agreement, or
    - b. the original coverage retroactive date for the Contractor's first claims-made policy for each and every coverage provided on a claims-made basis.
  - 2. For the duration of this contract or its subsequent renewals, if the retroactive date is advanced or if the policy is non-renewed, cancelled or is otherwise materially changed, the contractor agrees to purchase at its own expense, an Extended Reporting Endorsement. This endorsement must provide for extended reporting period ("Tail" coverage) in compliance with the minimum standards promulgated by the Department of Financial Services (Insurance Department) of the State of the New York as contemplated in Regulation No. 121 (11 NYCRR 73) or its subsequent amendments or revisions.
  - 3. Upon termination of the services provided to the County by the contractor, it is agreed that such claims-made coverage will be maintained without interruption for a period of time equal to the length of any Extended Reporting Period requirement as cited above. If the retroactive date is advanced or if the policy is non-renewed, cancelled, or is otherwise materially changed during this period of time the Contractor agrees to purchase, at its own expense, an Extended Reporting Endorsement that is in compliance with the minimum insurance standards promulgated by the Department of Financial Services (Insurance Department) of the State of the New York as cited above.

**CATEGORY II: MINIMUM INSURANCE STANDARDS FOR INDIVIDUALS PROVIDING PROFESSIONAL SERVICES UNDER CONTRACT FOR OR ON BEHALF OF THE COUNTY**

- A. **REQUIRED COVERAGE**
  - Professional Liability 1,000,000 each occurrence  
1,000,000 aggregate
- B. The insurance carrier providing the above coverage for the Contractor must be licensed to do so in New York State. It must also be rated no lower than "A-" by the most recent Best's Key Rating Guide or must be otherwise acceptable to the Board of Supervisors.
- C. All certificates of Insurance must be approved by either the Wayne County Attorney or the Self-Insurance Specialist prior to commencing work under the contract.
- D. It is expressly understood and agreed by the Contractor that the insurance requirements specified above contemplates the use of occurrence liability forms. If a claims-made coverage is evidenced to satisfy any of these requirements the Contractor shall comply with the following requirements:
  - 1. If the claims-made coverage terms designate a specific retroactive date, the Contractor shall maintain a retroactive date which is not later than the earlier of
    - a. the date of commencement of the term of this agreement, or

- b. the original coverage retroactive date for the Contractor's first claims-made policy for each and every coverage provided on a claims-made basis.
2. For the duration of this contract or its subsequent renewals, if the retroactive date is advanced or if the policy is non-renewed, cancelled or is otherwise materially changed, the Contractor agrees to purchase at its own expense, an Extended Reporting Endorsement. This endorsement must provide for an extended reporting period ("Tail coverage) in compliance with the minimum standards promulgated by the Department of Financial Services (Insurance Department) of the State of New York as contemplated in Regulation No. 121 (11 NYCRR 73) or its subsequent amendments or revisions.
3. Upon termination of the services provided to the County by the Contractor, it is agreed that such claims-made coverage will be maintained without interruption for a period of time equal to the length of any Extended Reporting Period as cited above. If the retroactive date is advanced or if the policy is non-renewed, cancelled, or is otherwise materially changed during this period of time the Contractor agrees to purchase, at its own expense, an Extended Reporting Endorsement that is in compliance with the minimum insurance standards promulgated by the Department of Financial Services (Insurance Department) of the State of New York as cited above.

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

**RESOLUTION NO. 653-14: AUTHORIZATION TO ESTABLISH A DATE FOR PUBLIC HEARING ON THE USE OF THE RETIREMENT CONTRIBUTION RESERVE TO REDUCE TAX LEVY IMPACT OF 2015 WAYNE COUNTY TENTATIVE BUDGET**

Ms. Park presented the following:

WHEREAS, the Tentative Budget for the County of Wayne for the fiscal year beginning January 1, 2015, will be presented to the Board of Supervisors on November 14, 2014; and

WHEREAS, the Tentative Budget will propose to utilize a portion of the Retirement Contribution Reserve; 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 use of the Retirement Contribution Reserve shall be held in the Supervisors' Chambers at the County Court House, 26 Church Street, Lyons, New York, on **Tuesday, December 2, 2014 at 7:00 p.m.**

SECTION 2. At least fifteen (15) 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 the amount of the Retirement Contribution Reserve that is proposed to be utilized in the 2015 Tentative Budget to reduce the impacts of Retirement Contribution costs on the Property Tax Levy.

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

**RESOLUTION NO. 654-14: AUTHORIZATION TO ESTABLISH A DATE FOR PUBLIC HEARING ON THE 2015 WAYNE COUNTY TENTATIVE BUDGET**

Ms. Park presented the following:

WHEREAS, the Tentative Budget for the County of Wayne for the fiscal year beginning January 1, 2015, will be presented to the Board of Supervisors on November 14, 2014; 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 2, 2014 at 7:10 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 14, 2014 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. Kolczynski moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

**EXECUTIVE SESSION:** Mr. Groat moved, seconded by Ms. Park that the Board go into Executive Session at 9:37 a.m. to discuss current and proposed litigation. Upon roll call, carried.

**REGULAR SESSION:** Mr. Miller moved, seconded by Mr. Colacino that the Board resume regular session at 10:12 a.m. Carried.

**ADJOURNMENT:**

The next scheduled meeting of the Board is Tuesday, November 18, 2014 at 9:00 a.m.

Mrs. Crane moved, seconded by Ms. Park, that the board adjourn at 10:15 a.m. Carried.

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

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