

18th Day
Tuesday, December 20, 2016
9:00 a.m.

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

The Pledge of Allegiance and invocation was given by Chairman Steven LeRoy.
The Roll Call was taken with board members responding, followed by introductions of students that were participants for the "4-H Supervisor-for-a-Day" program.
Supervisor Verno was absent.

The following introductions were made:

Chuck Verkey	Arcadia	Martin Lovell
David Spickerman	Butler	Kevin Mahoney
Steven Groat	Galen	Quinn Henretty
Laurie Crane	Huron	Elizabeth Frey
Brian Manktelow	Lyons	Hannah Lake
Sandy Pagano	Macedon	Emily Wells
Monica Deyo	Marion	Samantha Carbajal
John Smith	Ontario	Hannah Ferland
Ken Miller	Palmyra	Wesley Maynard
Kenan Baldrige	Rose	Carsten (Kit) Hohenboken
Michael Kolczynski	Savannah	Patrick Mahoney
Steven LeRoy	Sodus	Rebeca Carbajal
Patricia Marini	Walworth	Sarah Lozipone
Anthony Verno	Williamson	- Absent
Lynn Chatfield	Wolcott	Max Henretty

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

APPROVAL OF MINUTES:

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

COMMUNICATIONS:

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

A copy of the Sheriff's Office Cash Receipts Report dated November 17, 2016 totaling \$15,010.69 was received.

A copy of the List of Delinquent Taxes for 2016 for Town and County taxes was received and filed from the Wayne County Treasurer's Office.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous payments including the November 2016 warrants for accounts payable, totaling \$4,434,191.12 was received and filed.

Mrs. Crane moved, seconded by Mrs. Marini. Motion carried.

PRIVILEGE OF THE FLOOR:

Chairman LeRoy opened the floor at this time for members of the public to address the Board of Supervisors on items listed on the agenda for action. There were no comments for this morning session.

WHEREAS, there will be a vacancy for a full-time Assistant District Attorney on January 1, 2017; and

WHEREAS, the Board of Supervisors adopted Resolution No. 388-14 establishing implementing procedures for the Managerial Confidential Salary Plan; and

WHEREAS, these implementing procedures reserve certain salary decisions to the Board of Supervisors, including setting a promotional salary rate that is above the first 25% of a positions assigned pay grade rate; and

WHEREAS, the candidate chosen by the District Attorney to fill this position will have at least three years' experience as a prosecutor; and

WHEREAS, budgeted funds are presently available for such position for 2017; now, therefore, be it

RESOLVED, that the District Attorney is hereby authorized to offer a 2017 annual salary of up to \$66,000 to the candidate he selects to the position of Assistant District Attorney full-time.

Mrs. Marini moved the adoption of the resolution. Seconded by Mrs. Pagano. Upon roll call all Supervisors voted Aye. Absent – Supervisor Verno. The Chairman declared the Resolution adopted.

Chairman LeRoy introduced and welcomed Thomas Crowley, Mark DeYoung and the Newark High School Government Class to this morning's meeting.

RESOLUTION NO. 625-16: IN MEMORIAM – DAVID C. LYON – TOWN OF PALMYRA

Mr. Miller presented the following:

WHEREAS, David C. Lyon served Wayne County as Supervisor for the Town of Palmyra from September-December, 1981 and January 1, 1992 – December 31, 2009. Throughout his years of service, he diligently served the Citizens of Wayne County with loyalty and dedication. His death is a great loss to his family and the community;

NOW, THEREFORE, in memory of his service to the people of Wayne County, be it

RESOLVED, that the Board of Supervisors of the County of Wayne hereby expresses its great regret in the passing of Dave Lyon and extends its deepest sympathy to his family; and be it further

RESOLVED, that this resolution be spread upon the minutes, a copy be presented to the family of David C. Lyon; and that a page of the proceedings be dedicated in his memory.

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

Supervisors Miller and LeRoy spoke kind words for David Lyon, noting his dedication to the Town of Palmyra and the County of Wayne with his many years of service. He will be well missed.

RESOLUTION NO. 626-16: AUTHORIZATION TO EXECUTE PRE-TRIAL DIVERSION AND HOMELESS PROGRAM 2017 CONTRACT RENEWAL

Mr. Manktelow presented the following:

WHEREAS, Wayne County Department of Aging and Youth contracts with Wayne Pre-Trial Services, Inc. to provide homeless and court ordered diversion services to Wayne County youth, 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 County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne Pre-Trial Services, Inc., for the operation of a Pre-Trial Diversion Program and a Homeless Youth Program for Wayne County Youth for the contract period is January 1, 2017 through December 31, 2017, in an amount not to exceed \$103,744 to be derived from the following sources:

County Tax Revenues	\$71,715
State Aid Reimbursement (to County)	13,173 (YDDP)

State Aid Reimbursement (to County)	18,856 (RHY-II)
TOTAL	\$103,744

and be it further

RESOLVED, that the County shall pay the contractor the sum of \$17,294 in January 2017 and the sum of \$8,645 in each of the months February-November 2017.

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

RESOLUTION NO. 627-16: AUTHORIZATION FOR 2017 CONTRACT RENEWAL FOR DIETITIAN SERVICES FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Manktelow presented the following:

WHEREAS, NY State Office for the Aging requires all congregate and home delivered meals meet 1/3 of the RDA compliance standards, and

WHEREAS, The Department of Aging and Youth contracts with Geraldine Morse, RD to provide 12 hours of dietitian services per week to meet those compliance standards and to provide nutrition counseling to the elderly that have been assessed nutritionally at risk, and

WHEREAS, the terms and conditions of this contract will remain the same as in 2016, except that the hourly rate will be increased from \$39.92 to \$45.00 per hour; 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 County of Wayne, subject to the County Attorney's approval as to form and content, with Geraldine Morse, RD., for the period of January 1, 2017 through December 31, 2017, to provide the required dietary services at the hourly rate of \$45.00; and be it further

RESOLVED, that the total of all payments shall not exceed \$28,080, plus mileage at a current rate; and be it further

RESOLVED, that approval and funding is contingent on NYSOFA 2015 final funding allocations

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

RESOLUTION NO. 628-16: AUTHORIZATION FOR 2017 CONTRACT RENEWAL WITH M. SAUER COMPANY FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Manktelow presented the following:

WHEREAS, the Department of Aging and Youth contracts with the M. Sauer company for the provision of 160 personal emergency response (PERS) units for frail elderly individuals in Wayne County; and

WHEREAS, the monthly cost will vary with the amount of clients served per month and the cost per unit based on the technology required to provide the service (cell or land-line); and the vendor will submit a monthly invoice to Aging and Youth for payment; and

WHEREAS, the cost per service is funded by contributions from consumers and Medicaid/ managed care reimbursement; 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 M. Sauer Company for provision of PERS services for the Wayne County Department of Aging and Youth in the amount not to exceed \$31,872 starting January 1, 2017 through December 31, 2017.

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

RESOLUTION NO. 629-16: AUTHORIZATION TO RENEW 2017 CONGREGATE NUTRITION SITE CONTRACTS/RENTAL AGREEMENTS FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Manktelow presented the following:

WHEREAS, The Department of Aging and Youth provides congregate meals in six senior centers in Wayne County and is requesting renewal of the congregate meal contracts/rental agreements for 2017, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute the three congregate meal site rental agreement contracts listed below, on behalf of Wayne County for the period of January 1, 2017 through December 31, 2017, subject to the County Attorney's approval as to form and content.

- Town of Ontario \$6,200 annually
- Faith United Methodist Church, Wolcott \$400 per month
- Village of Palmyra \$100 per month

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

RESOLUTION NO. 630-16: AUTHORIZATION TO RENEW 2017 CONTRACT WITH MONROE COUNTY LEGAL ASSISTANCE/LEGAL ASSISTANCE OF WESTERN, NY FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Manktelow presented the following:

WHEREAS, The Department of Aging and Youth contracts with Monroe County Legal Assistance/Legal Assistance of Western, NY to provide civil legal services for senior citizens as mandated as a priority service by the Older American Act; and

WHEREAS, the terms and conditions remain the same with the hourly rate to remain at \$60 per hour, not to exceed an annual cost of \$15,000; 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 County of Wayne, subject to the County Attorney's approval as to form and content, with Monroe County Legal Assistance//Legal Assistance of Western, NY, to provide eligible seniors, sixty years and older, legal services for the period of January 1, 2017 through December 31, 2017 in the amount not to exceed \$15,000.

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

RESOLUTION NO. 631-16: AUTHORIZATION FOR 2017 CONTRACT RENEWAL WITH GENESEE REGION HOME CARE OF ONTARIO COUNTY, INC. FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Manktelow presented the following:

WHEREAS, the Department of Aging and Youth contracts with Genesee Region Home Care of Ontario County, Inc. for the provision of non-medical, in-home services and non-institutional respite services for clients assessed eligible by the department, 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 County of Wayne, subject to the County Attorney's approval as to form and content, with Genesee Region Home Care of Ontario County, Inc., for the period of January 1, 2017 through December 31, 2017, for non-medical, in-home services and non-institutional respite services, and be it further

RESOLVED, that the terms and conditions of this contract remain the same as in 2016, except will reflect the 2016 rates for services of Personal Care Aide (PCA) I be \$23.21 and PCA II be \$23.77.

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

RESOLUTION NO. 632-16: AUTHORIZATION FOR 2017 CONTRACT RENEWAL WITH WAYNE COUNTY CHAPTER NYSARC FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Manktelow presented the following:

WHEREAS, The Department of Aging and Youth contracts with NYSARC (Key Industries)

to provide bulk meal preparation for our six congregate Senior Centers; and

WHEREAS, that the terms and conditions of this contract remain the same as in 2016; now, therefore, be it

RESOLVED, the Chairman of the 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 ARC (Key Industries), for the period of January 1, 2017 through December 31, 2017 for bulk meal catering; and be it further

RESOLVED, the meal rate will be \$4.10 per meals and the maximum contract amount will not exceed \$65,000.

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

RESOLUTION NO. 633-16: AUTHORIZATION FOR FAMILY COUNSELING OF THE FINGER LAKES 2017 CONTRACT RENEWAL FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Manktelow presented the following:

WHEREAS, The Wayne County Department of Aging and Youth contracts with Family Counseling Service of the Finger Lakes, Inc., for the provision of family and youth counseling services; and

WHEREAS, emphasis is placed on youth who are experiencing risk factors such as school failure, truancy, poor social/family relations, and/or acting out behavior; and

WHEREAS, the counseling services are funded through the Office of Children and Family Services, and County funding, for an amount not to exceed \$23,250; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract for the period January 1, 2017 through December 31, 2017, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Family Counseling of the Finger Lakes, Inc. in the amount not to exceed \$23,250.

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

RESOLUTION NO. 634-16: AUTHORIZE CONTRACT WITH FAMILY COUNSELING SERVICE OF THE FINGER LAKES FOR THE PROVISION OF SEXUAL ABUSE ASSESSMENT AND TREATMENT SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Manktelow presented the following:

WHEREAS, many children in Wayne County become victims of sexual abuse each year; and

WHEREAS, these children need skilled professional assessment to accurately determine if abuse has occurred, and skilled professional treatment to successfully recover from this abuse and carry on productive lives in those cases where abuse has occurred; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract with Family Counseling Services of the Finger Lakes, subject to the approval of the County Attorney, for the provision of sexual abuse assessment and treatment services for an amount not to exceed \$115,293 for the period 1/1/17 – 12/31/17.

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

RESOLUTION NO. 635-16: AUTHORIZE CONTRACT WITH CATHOLIC FAMILY CENTER FOR DRUG/ALCOHOL ASSESSMENTS FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Manktelow presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) is required to contract for drug/alcohol assessment services for those applying for cash assistance; and

WHEREAS, Wayne DSS is required to provide a choice of assessment options; and

WHEREAS, Wayne DSS is reimbursed at a rate of \$40.00 per assessment by the New York State Office of Temporary and Disability Assistance; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Catholic Charities of the Diocese of Rochester, d/b/a Catholic Family Center, subject to the County Attorney's approval as to form and content, for the provision of drug/alcohol assessment services during the period 1/1/17-12/31/17 at a fee of \$40.00 per assessment.

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

RESOLUTION NO. 636-16: AUTHORIZE CONTRACT WITH VICTIM RESOURCE CENTER, INC. FOR NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Manktelow presented the following:

WHEREAS, Wayne County Department of Social Services is required to provide services to victims of Domestic Violence; and

WHEREAS, Victim Resource Center, Inc. is a certified Domestic Violence agency that has provided both residential and non-residential services to Domestic Violence victims for a number of years in Wayne County; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement with Victim Resource Center, Inc., subject to the County Attorney's approval as to form and content, for the provision of Non-Residential Domestic Violence Services during the period 1/1/17 - 12/31/17 subject to a maximum contract amount of \$22,716.

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

RESOLUTION NO. 637-16: AUTHORIZE CONTRACT WITH VICTIM RESOURCE CENTER OF THE FINGER LAKES, INC. FOR THE PROVISION OF DOMESTIC VIOLENCE RESIDENTIAL SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Manktelow presented the following:

WHEREAS, Wayne County Department of Social Services (DSS) is responsible for ensuring a safe place is available for victims of Domestic Violence, and

WHEREAS, Victim Resource Center of the Finger lakes, Inc. (VRC) is certified to provide residential services in Wayne County, and

WHEREAS, VRC has provided such residential services in a competent manner in the past, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract with the Victim Resource Center of the Finger Lakes, Inc., subject to the County Attorney's approval as to form and content, for the provision of Residential Domestic Violence Services in accordance with 18 NYCRR 408. The term of the contract will be 1/1/17 through 12/31/17 at a cost not to exceed \$70,000.

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

RESOLUTION NO. 638-16: AUTHORIZE CONTRACT WITH BONADIO FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Manktelow presented the following:

WHEREAS, Wayne County desires to keep Medicaid (MA) costs as low as possible; and

WHEREAS, Consumer fraud is a primary source of unnecessary MA expense; and
WHEREAS, Eligibility workers in the MA unit are not Certified Public Accountants (CPA's) nor is it fiscally sound to provide an equal level of training to these workers; and

WHEREAS, Medicaid applicants, especially those who are self employed, often have complicated financial information/situations that require CPA level skills/training to

comprehensively evaluate for MA eligibility and potential fraud, and

WHEREAS, for the purpose of ascertaining Medicaid eligibility, the Bonadio Group has CPA services available and has provided such services to Western NY Counties since 2007; and

WHEREAS, the cost for these services is fully reimbursed by the NY State Medicaid Program; therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with the Bonadio Group for Medicaid Eligibility CPA services at a rate not to exceed \$150/hour for a total not to exceed \$60,000, subject to the review of the County Attorney, for the timeframe of 1/1/17 –12/31/17.

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

RESOLUTION NO. 639-16: AUTHORIZE AGREEMENT WITH ONTARIO COUNTY FOR USE OF NON-SECURE DETENTION FACILITY IN HOPEWELL FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Manktelow presented the following:

WHEREAS, Wayne County is required to have non-secure detention available as an alternative for placement of youth involved with either PINS or JD court proceedings; and

WHEREAS, Wayne DSS desires to secure the most cost-effective site possible; and

WHEREAS, the Hopewell Facility is the most cost-effective site to secure these services; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Ontario County for the provision of non-secure detention beds at its Hopewell Facility at a rate not to exceed \$275 per day per child plus a \$20 per child health assessment fee for the period 1/1/17 – 12/31/17.

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

RESOLUTION NO. 640-16: AUTHORIZE AGREEMENT WITH WAYNE COUNTY SHERIFF'S OFFICE FOR WELFARE FRAUD INVESTIGATION SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Manktelow presented the following:

WHEREAS, there is a need to pursue welfare fraud in a diligent manner; and

WHEREAS, it is estimated that the cost of doing so will be offset by savings; and

WHEREAS, the Wayne County Sheriff's Office is the agency best suited to pursue these investigations; and

WHEREAS, Wayne County Department of Social Services is desirous of entering into an agreement for Welfare Fraud Investigation services; now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to enter into an agreement with the Wayne County Sheriff's Office, subject to review by the County Attorney, for Welfare Fraud Investigation Services in an amount not to exceed \$229,197 for the timeframe 1/1/17-12/31/17.

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

RESOLUTION NO. 641-16: AUTHORIZATION TO DISPOSE OF SURPLUS EQUIPMENT IN THE AGING AND YOUTH DEPT.

Mr. Manktelow presented the following:

WHEREAS, the Wayne County Department of Aging and Youth has items that have outlived their usefulness, are broken and/or no longer needed by this department as listed

below

- 1 FujiCA ST705 Camera & Case w/electronic flash
- 1 Tan metal pamphlet rack
- 1 IBM Selectric II Typewriter & pad
- 5 Metal Sandwich boards
- 2 broken 40-cup coffee urns
- 2 gray metal index files
- 1 Pink chair – no support
- 1 Wooden grabbers
- 1 Small white Rival Microwave
- 1 Computer Tower & monitor & keyboard
- 2 Power boosters
- 2 CD Dell Drive
- 2 Mouse
- 2 Power Adaptor
- 1 Champion Sports megaphone
- 1 Fanon MV – 108 Megaphone
- 2 “Lifeguard Off Duty” signs 24” by 18”

Now, therefore, be it

RESOLVED, that the equipment listed above is declared surplus and shall be disposed of in accordance with County Policy.

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

RESOLUTION NO. 642-16: AUTHORIZATION TO EXECUTE MODIFICATION AGREEMENT WITH NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES (OCFS) IN RELATION TO CHILD CARE DEVELOPMENT BLOCK GRANT FUNDS FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Manktelow presented the following:

WHEREAS, the New York State 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 Modification Agreement on behalf of the Wayne County Department of Social Services, subject to the County Attorney’s approval as to form and content, with the New York State Office of Children and Family Services regarding the receipt and use of federal funds under the Child Care Development Block Grant in the amount of \$123,662 for the period 1/1/17 to 12/31/17.

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

RESOLUTION NO. 643-16: AUTHORIZATION TO SIGN AGREEMENT WITH CHILD CARING INSTITUTION – ST. ANNE FOR THE 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 St. Anne Institute for the timeframe 1/1/17-6/30/18 for the purchase of foster care for children, subject to the County Attorney's approval as to form and content for an amount not to exceed \$150,000.

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

RESOLUTION NO. 644-16: AUTHORIZATION TO SUBMIT BUDGET AND WORKPLAN TO NEW YORK STATE DEPARTMENT OF HEALTH, BUREAU OF IMMUNIZATION FOR IMMUNIZATION ACTION PLAN ACTIVITIES FOR THE PERIOD OF APRIL 1, 2017 TO MARCH 31, 2018

Mr. Baldrige presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently holds a contract with the New York State Department of Health (NYSDOH), Bureau of Immunization to perform Immunization Action Plan activities to reduce vaccine preventable disease among children and adults; and

WHEREAS, WCPH wishes to submit a budget and workplan for contract year five (5) of the approved five year contract period of April 1, 2013 to March 31, 2018; and

WHEREAS, WCPH will receive \$46,886.00 for the period of April 1, 2017 to March 31, 2018; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to submit a workplan and budget to NYSDOH for approval.

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

RESOLUTION NO. 645-16: AUTHORIZATION TO CONTRACT WITH ROCHESTER REGIONAL HEALTH SYSTEM'S DEPARTMENT OF PULMONARY MEDICINE TO PROVIDE MEDICAL CONSULTATION FOR THE TUBERCULOSIS PROGRAM

Mr. Baldrige presented the following:

WHEREAS, Wayne County Public Health (WCPH) is hereby mandated by the NYSDOH to provide Tuberculosis Services for Wayne County residence; and

WHEREAS, WCPH wishes to renew its contract with the Rochester Regional General Health System's Department of Pulmonary Medicine to provide a NYS Board certified physician to provide medical consultant services for the tuberculosis program at a cost of \$988.33 per monthly clinic, with a total cost not to exceed \$11,860 for the period of January 1, 2017 to December 31, 2017; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to contract with the Rochester Regional Health System's Department of Pulmonary Medicine, 1425 Portland Avenue, Rochester, NY 14621, to provide a NYS Board Certified physician to provide medical consultant services for the WCPH tuberculosis program, for the period of January 1, 2017 to December 31, 2017, at a cost of \$988.33 per monthly clinic, with a total cost not to exceed \$11,860, subject to the approval of the County Attorney as to form and content and subject to being in compliance with the County's insurance requirements.

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

RESOLUTION NO. 646-16: AUTHORIZATION TO CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION ADMINISTRATION DUTIES

Mr. Baldrige presented the following:

WHEREAS, Wayne County Public Health (WCPH) is mandated by the New York State Department of Health (NYSDOH) to perform administrative duties and oversight of the Wayne County Early Intervention Program; and

WHEREAS, WCPH wishes to contract with the NYSDOH, for the five year period of October 1, 2016 to September 30, 2021, for an annual amount of \$42,407; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to submit an Early Intervention Program budget and workplan for approval to the NYSDOH for the amount of \$42,407, for the period of October 1, 2016 to September 30, 2017, and annually thereafter; and be it further

RESOLVED, once the budget and workplan is approved by the NYSDOH, the Chairman of the Board of Supervisors is hereby authorized to execute the Early Intervention Administration contract with the NYSDOH through the Grants Gateway System, for the five year period of October 1, 2016 to September 30, 2021, for an annual amount of \$42,407, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 647-16: AUTHORIZATION TO APPROVE THE 2016-2018 COMMUNITY HEALTH ASSESSMENT FOR SUBMISSION TO THE NEW YORK STATE DEPARTMENT OF HEALTH

Mr. Baldrige presented the following:

WHEREAS, Wayne County Public Health, (WCPH) is required every three years to submit a Community Health Assessment (CHA) and a Community Health Improvement Plan (CHIP) to the New York State Department of Health (NYSDOH); and

WHEREAS, WCPH has completed the 2016-2018 CHA and CHIP and request to have the full Board of Supervisors provide input and approve of the documents for submission to the NYSDOH by December 30, 2016; now, therefore, be it

RESOLVED that the Director of Public Health is hereby authorized to submit the 2016-2018 CHA and CHIP to the NYSDOH by the December 30, 2016 deadline.

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

RESOLUTION NO. 648-16: SETTING SALARY FOR THE POSITION OF COORDINATOR OF NURSING EDUCATION AT THE WAYNE COUNTY NURSING HOME

Mr. Baldrige presented the following:

WHEREAS, the Managerial/Confidential position of Coordinator of Nursing Training at the Wayne County Nursing Home became vacant on September 28, 2016; and

WHEREAS, it is necessary to hire a Coordinator of Nursing Training to ensure Wayne County Nursing Home staff receive proper training and in-servicing; and

WHEREAS, the position of Coordinator of Education is in M/C pay grade 7 which has a range of \$50,834 to \$68,625; and

WHEREAS, a salary offer which is above the first quartile of a grade range must first be approved by the Board of Supervisors before it is offered to a candidate; and

WHEREAS, the Nursing Home Administrator has selected to promote an internal candidate who has the qualifications and experience to succeed in this new role; and

WHEREAS, the Nursing Home Administrator and the Director of Human Resources recommend a promotional salary of \$64,491 effective January 1, 2017; now, therefore, be it

RESOLVED, that the salary for the Coordinator of Nursing Training shall be authorized of \$64,491, effective January 1, 2017.

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

RESOLUTION NO. 649-16: AUTHORIZATION TO WRITE OFF UN-COLLECTABLE ACCOUNTS FOR THE WAYNE COUNTY NURSING HOME

Mr. Baldrige presented the following:

WHEREAS, the Wayne County Nursing Home has an allowance for Un-collectible Accounts; and

WHEREAS, after thorough review and collection efforts there is a remaining balance on twenty- two (22) accounts for the years end of 2009, 2011, 2012, 2013, 2014, 2015 and 2016;

and

WHEREAS, the uncollectable accounts in total were \$160,391.80 for year end of 2009-2016; \$887.50 for year end 2009; \$2,559.50 for year end 2011; \$6,199.99 for year end 2012; \$42,457.45 for year end 2013; \$22,908.00 for year end 2014; \$74,635.08 for year end 2015; \$10,744.28 for year end 2016; and

WHEREAS, the Wayne County Nursing Home has determined that the twenty- two (22) accounts with remaining balances are un-collectible from any payer source; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Wayne County Nursing Home to write off said twenty- two (22) accounts totaling \$160,391.80.

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

RESOLUTION NO. 650-16: AUTHORIZATION TO AMEND 2016 BUDGET FOR THE MENTAL HEALTH DEPARTMENT COMMUNITY PROVIDERS FUNDING AND AMEND 2016 CONTRACTS

Mr. Baldrige presented the following:

WHEREAS, the mental health department local governmental unit (LGU) is in receipt of additional state aid funding which is primarily related to Cost of Living Adjustments (COLA) adjustments and State year-end closeouts; and

WHEREAS the LGU now needs to make the following 2016 budget & contract amendments to reflect those additional funds due for payment to various community providers; now, therefore, be it

RESOLVED that the County Treasurer is authorized to make the following 2016 budget amendments and the County Attorney is authorized to amend the 2016 contracts for the following providers as noted to reflect the state aid additional funding adjustment increases:

A4322 Community Providers

Revenue:

\$168 to 43484 DePaul Community Services
\$741 to 43485 Unity House
\$5,247 to 43494 Delphi
\$32,600 to 43495 Wayne ARC
\$69,711 to 43499 Finger Lakes Area Community Referral Agency (FLACRA)
\$35 to 43504 ABVI-Lifeline
\$321 to 43522 Council on Alcoholism of the Finger Lakes
\$145 to 43526 Wayne County Action Program (Wayne-CAP)
\$36 to 43607 Finger Lakes Parent Network (FLPN)
\$29,381 to 43615 Catholic Family Center Hannick Hall
\$300 to 43840 Wayne County Aging & Youth Dept.

Expense:

\$168 to 54684 DePaul Community Services
\$741 to 54685 Unity House
\$5,247 to 54607 Delphi
\$32,600 to 54609 Wayne ARC
\$69,711 to 54604 Finger Lakes Area Community Referral Agency (FLACRA)
\$35 to 54640 ABVI-Lifeline
\$321 to 54690 Council on Alcoholism of the Finger Lakes
\$145 to 54697 Wayne County Action Program (Wayne-CAP)
\$36 to 54686 Finger Lakes Parent Network (FLPN)
\$29,381 to 54612 Catholic Family Center Hannick Hall
\$300 to 54534 Wayne County Aging & Youth Dept.

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

RESOLUTION NO. 651-16: ADOPTING 2017 SALARY SCHEDULE FOR COUNTY OFFICERS AND DEPARTMENT HEADS

Mrs. Crane presented the following:

WHEREAS, the Government Operations Committee has reviewed the 2017 salaries, in the schedule below, for County Officers and Department Heads and is recommending them to the Board of Supervisors; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby adopts the following schedule for certain County Officers and Department Heads for the year 2017, effective January 1, 2017; and be it further

NAME		TITLE	SALARY
COUNTY OFFICERS – Term Elected			
Virts	Barry	Sheriff	\$99,620
Warnick	Tom	Treasurer	\$78,588
Nickell	Karen	Coroner	\$42,926
Jankowski	Michael	County Clerk	\$83,440
COUNTY OFFICERS – Term Appointed			
House	Rick	County Administrator	\$115,480
Connors	Daniel	County Attorney	\$106,595
Kernan	James	Public Defender	\$97,587
Rooney	Kevin	Superintendent of Public Works	\$100,497
McCrosen	M. Josh	Commissioner of Social Services	\$99,023
Dye	Charles	Human Resources Director	\$94,412
Ambroz	Karen	Director of RPTS	\$67,700
Alquist	Mark	Election Commissioner	\$12,532
Bridson	Marge	Election Commissioner	\$12,532
DEPARTMENT HEADS – Appointed			
Devlin	Diane	Director of Public Health	\$85,235
Haitz	James	Director of Mental Health	\$103,320
Vinnik	Denis	Nursing Home Administrator	\$93,150
Ury	Matt	Director of Information Technology	\$82,160
Ameele	Mark	Director of Probation (Interim)	\$70,392
Bastedo	George	Director of Emergency Management	\$88,282
Wiarda-Shockley	Penny	Director of Aging & Youth	\$70,261
Worth	Christine	Director of Tourism & Promotion	\$62,733
Skelly	Patrick	Director of Veterans Services (FT)	\$46,067
Molisani	Richard	Director of Weights & Measures	\$62,192
Schmitt	Patrick	Management Asst./County Auditor	\$76,607

and be it further

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

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

RESOLUTION NO. 652-16: ADOPTING 2017 SALARY SCHEDULE FOR SPECIFIED

COUNTY MANAGERIAL EMPLOYEES NOT SUBJECT TO COLLECTIVE BARGAINING AGREEMENTS

Mrs. Crane presented the following:

WHEREAS, the Government Operations Committee has determined the 2017 salaries for managerial employees not subject to collective bargaining agreements and is recommending them, in the schedule below, to the Board of Supervisors; now, therefore be it

RESOLVED, that the Board of Supervisors hereby adopts the following salaries for County Managerial Employees not subject to collective bargaining agreements for the year 2017 effective January 1, 2017.

NAME		TITLE	SALARY
McCormick	Jacqueline	Assistant DA FT 1st	\$88,561
Correia	Andrew	Assistant PD FT	\$89,119
Fosdick	Jeffrey	Undersheriff	\$90,562
Bentley	Shelly	Deputy DSS Commissioner	\$85,000
Bennett	Gary	Social Services Attorney	\$97,860
Blake	Kenneth	Fiscal Assistant	\$79,592
Kolczynski	Scott	Deputy Superintendent PW	\$71,735
Lee	James	ALS Director	\$76,549
Peters	Tina	Deputy Director of Public Health	\$69,644
Isaac	Sandra	Director of Nursing-NH	\$82,997
Churchill	Margaret	Deputy Director Econ Development	\$87,375
Bokelman	Christopher	Assistant DA FT 2nd	\$70,466
Rosekrans	Bruce	Assistant DA FT 3rd	\$67,060
Shaw	David	Assistant District Attorney (PT)	\$52,271
Williams	Mark	Assistant District Attorney (PT)	\$39,837
Calarco	Michael	Assistant District Attorney (PT)	\$45,319
Fox	Tracy	Assistant District Attorney (PT)	\$40,786
Hanna	Arline	Assistant Public Defender FT	\$65,975
Grow	John	Assistant Public Defender (PT)	\$35,335
Hendricks	William	Assistant Public Defender (PT)	\$35,335
Chambers	Peter	Assistant Public Defender (PT)	\$35,166
Power	Gregory	Assistant Public Defender (PT)	\$50,769
Youngman	Richard	Assistant Public Defender (PT)	\$35,355
Zimmerman	Robert	Assistant Public Defender (PT)	\$45,627
Hammond	Erin	Assistant County Attorney	\$67,937
Petrus	Andrea	Dep Director IT	\$70,502
DeWolf	Greg	E911 Operations Manager	\$60,669
Hunt	Edward	Deputy Director of Mental Health	\$66,210
Thomas	Christopher	Program Supervisor	\$62,842
Frey	Brian	Asst. Engineering Mgr.-Highways	\$70,123
Sammons	Elizabeth	1st Assistant DSS Attorney	\$69,237

Maure	Heather	2nd Assistant DSS Attorney	\$66,843
Holtz	Laurie	Director of Administrative Services	\$69,670
Palis	Alina	Comptroller - NH	\$63,135
Blair	Michelle	Residential Services Director	\$60,378
Watson	Carol	Compliance Officer	\$67,275
Burgess	Lindsey	Self-Insurance Specialist	\$61,759
DiSanto	Daniel	E911 Technology Coordinator	\$54,168
Wizeman	Timothy	General Highway Foreman	\$59,500
Switzer	Angela	Head Social Welfare Examiner	\$61,034
Riggs	Michelle	Coordinator of Nurse Training	\$64,491
McGonigal	Kathy	Deputy Director, Youth	\$62,429
Rothfuss	Ora	Agricultural Development Specialist	\$63,036
Bornheimer	Jody	Deputy County Treasurer	\$62,192
Cahoon	Kathleen	2nd Deputy County Treasurer	\$47,202
Kalinski	Christine	Personnel Assistant	\$56,005
Watrous	Dennis	Info Systems Tech Coordinator	\$52,981
Wheeler	Isaac	Staff Development Coordinator	\$46,067
Hasseler	Tanya	Business Outreach Coordinator	\$46,067
Sloane	Sandra	Clerk of the Board of Supervisors	\$48,584
Williams	Sarah	Victim/Witness Coordinator	\$41,773
Golding	Kimberly	Sentencing Specialist	\$43,913
DiSanto	Michele	Deputy County Clerk	\$47,419
Brandt	Juliet	Deputy County Clerk 2nd	\$47,648
Borrelli	Kelly	Deputy Election Commissioner	\$49,568
Krebbeks	Joyce	Deputy Election Commissioner	\$49,568
Bond	Richard	Fire Coordinator (PT)	\$31,763
Liddle	William	EMS Coordinator (PT)	\$39,274
Nagpaul	Arun	Medical Director (PHCP)	\$15,225
Fladd	Donna	Psychiatric Nurse Practitioner	\$91,350
Rusu	Iustinian	Staff Psychiatrist	\$190,592
Pidor	Haidee	Staff Psychiatrist	\$202,156
Reynolds	James	Supervising Psychologist	\$91,350
Wyner	Dan	Assistant County Attorney (PT)	\$53.26
Heaton	Eliza	PT Assist DSS Attorney	\$41.00

Mr. Smith moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, all Supervisors voted Aye. Supervisors Groat and Kolczynski Abstained from voting. Absent – Supervisor Verno. The Chairman declared the Resolution adopted.

RESOLUTION NO. 653-16: ADOPTING 2017 WAGE SCHEDULE FOR COUNTY CONFIDENTIAL SUPPORT STAFF AND PART-TIME STAFF NOT SUBJECT TO COLLECTIVE BARGAINING AGREEMENTS

Mrs. Crane presented the following:

WHEREAS, the Government Operations Committee has determined 2017 wages for Confidential Support Staff not subject to collective bargaining agreements and is recommending them, in the schedule below, to the Board of Supervisors; now, therefore be it

RESOLVED, that the Board of Supervisors hereby adopts the following schedule for County Support Staff not subject to collective bargaining agreements for the year 2017 effective January 1, 2017:

Liseno	Debbie	Secretary, Board of Supervisors	\$24.51
Koller	Darcey	Secretary, District Attorney	\$21.80
Fox-Groat	Kathy	Secretary, Public Defender	\$24.22
Smith	Dawn	Secretary DSS Commissioner	\$21.70
Evans	Peter	County Historian	\$23.53
Savage	Christina	Personnel Clerk	\$21.64
Loveless	Kelley	Secretary, County Administrator	\$20.16
Venturino	Mariah	Secretary, County Clerk	\$17.54
Fralick	Megan	Secretary, County Attorney	\$20.62
Woodland-Forest	Chasidy	Secretary, County Attorney	\$18.15
Depauw	Sandra	Senior Personnel Clerk	\$19.95
Chardeen	Betty	Secretary, Sheriff Office	\$19.20
Fasano	Giovanna	Secretary, Nursing Home	\$21.23
Robinson	Mindy	Election Clerk	\$18.65
Johnson	Jennifer	Election Clerk	\$18.65
Part-time Per Hour:			
VanFleet	Jessica	Personnel Clerk (PT)	\$15.52
Mary	Allen	Nurse Practitioner	\$75.00
Crane	Peter	Jail Physician PT	\$110.00
vacant		Forensic Program Coordinator	\$110.00
Morgan	Charles	Physician PT	\$120.00
Hoyt	Richard	Psychologist PT	\$120.00
Abraham	Thundathil	Psychiatrist	\$140.00
Yearwood	Ronaldo	Psychiatrist	\$140.00
Kandlikar	Meera	Psychiatrist	\$140.00
Kosson	Harlan	Psychiatrist	\$140.00
Lauderdale	Ken	Compliance Officer	\$20.00
Compton	Hugh	Rabid Animal Responder	\$25.00
Spiess	Greg	Rabid Animal Responder	\$25.00
Howard	Robert	Animal Control Officers	\$6,575

Littlefield	Thomas	Animal Control Officers	\$6,575
		Correction Officer (PT-Trainee)	\$16.681
		Correction Officer(1 year)	\$20.681
		Deputy Sheriff (PT - Trainee)	\$17.257
		Deputy Sheriff (1 year)	\$21.257
		Receptionist (sub)	\$12.60
		Work Program Supervisor	\$15.83
		Residential Attendant (NH)	\$9.70

Mr. Smith moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, all Supervisors voted Aye, except Supervisor Groat who Abstained from voting. Absent – Supervisor Verno. The Chairman declared the Resolution adopted.

RESOLUTION NO. 654-16: SETTING DATE FOR PUBLIC HEARING ON LOCAL LAW PROVIDING FOR CHANGES IN SALARIES OF CERTAIN COUNTY OFFICERS DURING THEIR TERM OF OFFICE (2017)

Mrs. Crane presented the following:

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

WHEREAS, the Government Operations Committee is recommending 2017 Salaries as listed below; now, therefore be it

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on **Tuesday, January 17, 2017 at 9:10 am** in the Supervisors Chambers in the County Court House, Lyons, New York, on the proposed local law:

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

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

SECTION 1. The annual salary of the County Clerk shall be \$83,440 effective January 1, 2017.

SECTION 2. The annual salary of the Sheriff shall be \$99,620 effective January 1, 2017.

SECTION 3. The annual salary of the County Coroner shall be \$42,926 effective January 1, 2017.

SECTION 4. The annual salary of the County Treasurer shall be \$78,588 effective January 1, 2017.

SECTION 5. The annual salary of the Public Defender shall be \$97,587 effective January 1, 2017.

SECTION 6. The annual salary of the County Administrator shall be \$115,480 effective January 1, 2017.

SECTION 7. The annual salary of the Director of Real Property Tax Services shall be \$67,700 effective January 1, 2017.

SECTION 8. The annual salary of the County Attorney shall be \$106,595 effective January 1, 2017.

SECTION 9. The annual salary of the Human Resource Director shall be \$94,412 effective January 1, 2017.

SECTION 10. The annual salary of the Election Commissioner shall be \$12,532 effective January 1, 2017.

SECTION 11. The annual salary of the Election Commissioner shall be \$12,532 effective

January 1, 2017.

SECTION 12. The annual salary of the Commissioner of Social Services shall be \$99,023 effective January 1, 2017.

SECTION 13. The annual salary of the Superintendent of Public Works shall be \$100,497 effective January 1, 2017.

SECTION 14. An incumbent holding a position subject to the provisions of Sections 1 through 13 of this local law at the time during the period from the effective date of the salary increase for such position until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefore, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.

SECTION 15. If any clause, sentence, paragraph, part or provision of this local law shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part or provision thereof directly involved in the controversy in which such judgment is rendered.

SECTION 16. This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof, in the manner provided by law.

SECTION 17. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2017.

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

RESOLUTION NO. 655-16: AUTHORIZATION TO CREATE FULL-TIME DIRECTOR OF VETERANS SERVICES AND SET SALARY AND ABOLISH PT POSITION

Mrs. Crane presented the following:

WHEREAS, the Director of Veterans Services has been a part-time position; and

WHEREAS, the position is in the Managerial/Confidential employee group, in pay-grade 6; and

WHEREAS, the position has been funded as a full-time position in the Wayne County 2017 budget; now, therefore, be it

RESOLVED, that the position of Director of Veterans Services full-time is hereby created, effective January 1, 2017; and be it further

RESOLVED, that Patrick Skelly is hereby appointed to the position of Director of Veterans Services (full-time) effective January 1, 2017 at an annual salary of \$46,067; and be it further

RESOLVED, that the part-time position of Director of Veterans Services is hereby abolished.

Mr. Manktelow moved the adoption of the resolution. Seconded by Mr. Kolczynski. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Verno. The Chairman declared the Resolution adopted.

RESOLUTION NO. 656-16: AUTHORIZATION TO RENEW EXCESS WORKERS' COMPENSATION INSURANCE POLICY WITH EASTERN SHORE ASSOCIATES

Mrs. Crane presented the following:

WHEREAS, Wayne County has received a renewal proposal from insurance broker Eastern Shore Associates for the Excess Workers' Compensation and Employers' Liability Insurance Policy for the period of January 1, 2017 – December 31, 2017, with an annual premium in the amount of \$227,784 (subject to audit), and

WHEREAS, the insurance carrier that quoted said policy is New York Marine & General

Insurance Company, and

WHEREAS, the premium on the Excess Workers' Compensation and Employers' Liability insurance policy effective 1/1/16 – 12/31/16, also written by carrier New York Marine & General Insurance Company, was \$235,195 (subject to audit), now, therefore, be it

RESOLVED, that the Self-Insurance Specialist is hereby authorized to bind coverage on the Excess Workers' Compensation and Employers' Liability Insurance Policy with Eastern Shore Associates, and to make payment to Eastern Shore Associates in the amount of \$227,784.

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

RESOLUTION NO. 657-16: AUTHORIZATION TO RENEW EXCESS EMPLOYERS' LIABILITY INSURANCE POLICY WITH EASTERN SHORE ASSOCIATES

Mrs. Crane presented the following:

WHEREAS, Wayne County has received a renewal proposal from Eastern Shore Associates for the Excess Employers' Liability Insurance Policy for the period of January 1, 2017 – December 31, 2017, with an annual premium in the amount of \$29,544; and

WHEREAS, the insurance carrier that quoted said policy is Capitol Indemnity Corporation, and

WHEREAS, the premium on the Excess Employers' Liability insurance policy effective 1/1/16 – 12/31/16 was \$30,128, which was also written with carrier Capitol Indemnity Corporation; now, therefore, be it

RESOLVED, that the Self-Insurance Specialist is hereby authorized to bind coverage on the aforementioned Excess Employers' Liability Insurance Policy with Eastern Shore Associates, and to make payment to Eastern Shore Associates in the amount of \$29,544.

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

RESOLUTION NO. 658-16: AUTHORIZATION TO REAPPOINT COUNTY SUPERINTENDENT OF PUBLIC WORKS

Mrs. Crane presented the following:

WHEREAS, Resolution No. 443-12 established the position of County Superintendent of Public Works with a four (4) year term of office; and

WHEREAS, Resolution No. 9-13 appointed Kevin Rooney to the position of County Superintendent of Public Works through December 31, 2016, and

WHEREAS, it is the recommendation of the County Administrator that Kevin Rooney be reappointed to the position of County Superintendent of Public Works for a four (4) year term; now, therefore, be it

RESOLVED, that Kevin Rooney is hereby reappointed as County Superintendent of Public Works for a four (4) year term commencing on January 1, 2017 and ending December 31, 2020.

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

RESOLUTION NO. 659-16: AUTHORIZATION TO SUBMIT GRANT APPLICATIONS TO THE NEW YORK STATE DEPARTMENT OF EDUCATION THE COUNTY RECORDS MANAGEMENT OFFICE

Mrs. Crane presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute applications on behalf of the County of Wayne, subject to

the County Attorney's approval as to form and content, with the New York State Department of Education for the following:

1. To purchase a digital indexing software system for the County Records Management Office
 2. To purchase the equipment necessary for a back scanning project at the county records center
 3. To fund a recording clerk position to manage the digital records back scanning project
- Mrs. Deyo moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, adopted.

RESOLUTION NO. 660-16: AUTHORIZATION TO ADVERTISE FOR QUOTES TO PRINT 2017 WAYNE COUNTY VISITOR GUIDES

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Office of Tourism will need to obtain printing services for the 2017 Wayne County Visitor Guides; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for quotes for printing of the 2017 Wayne County Visitor Guides in accordance with specifications prepared by the Director of Tourism and Publicity and approved by the County Attorney as to content and form and present a record of the quotes received at the next meeting of the Board of Supervisors.

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

RESOLUTION NO. 661-16: AUTHORIZE COUNTY TREASURER TO DISBURSE SNOWMOBILE TRAILS FUNDING TO SNOWMOBILE CLUBS

Mr. Spickerman presented the following:

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

WHEREAS, Wayne County applied for 2016-2017 aid through the NYS Office of Parks, Recreation and Historic Preservation, and has been designated to receive a total of \$51,015.00 in allowable grant funds for the purpose of maintaining and developing approved snowmobile trails within the county; and

WHEREAS, New York State has provided Wayne County with a State Aid Voucher for 70% of the above aid; now, therefore, be it

RESOLVED, that the Board of Supervisors accepts the grant awarded by the Snowmobile Grant-in-Aid program in the amount of \$51,015.00; and be it further

RESOLVED the Treasurer is authorized to sign the voucher and Planning Department is authorized to submit that voucher to the State; and be it further

RESOLVED that the Wayne County Treasurer is hereby authorized to distribute upon its receipt the \$35,710.50 (70%) as follows:

Lakeshore Snow Devils	\$ 20,149.50
Webster Ridge Runners	\$ 6,184.50
Williamson Drift Riders	\$ 9,376.50

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

RESOLUTION NO. 662-16: ADOPTION OF LOCAL LAW FOR THE CREATION OF THE OFFICE OF THE WAYNE COUNTY CODE ENFORCEMENT OFFICER AND FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING

Mr. Miller presented the following:

WHEREAS, a proposed local law for amending the mortgage recording tax within the County of Wayne was presented to the Board of Supervisors on November 15, 2016; and

WHEREAS, a public hearing on the proposed local law was held on December 20, 2016

at 9:10 a.m. in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

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

**COUNTY OF WAYNE - STATE OF NEW YORK
LOCAL LAW NO. 3 FOR THE YEAR 2016**

A Local Law for the creation of the Office of the Wayne County Code Enforcement Officer and for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) by the Wayne County Code Enforcement Officer for all buildings and facilities owned by the County of Wayne only.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, State of New York, as follows:

SECTION 1. PURPOSE AND INTENT

This local law provides for the creation of the Office of the Wayne County Code Enforcement Officer and for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) by the Wayne County Code Enforcement Officer for all buildings and facilities owned by the County of Wayne only. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions this local law.

SECTION 2. DEFINITIONS

In this local law:

"Building" shall mean any and all buildings, structures or premises owned by the County of Wayne.

"Building Permit" shall mean a permit issued pursuant to section 4 of this local law. The term "Building Permit" shall also include a Building Permit which is renewed, amended or extended pursuant to any provision of this local law.

"Certificate of Occupancy/ Certificate of Compliance" shall mean a certificate issued pursuant to subdivision (b) of section 7 of this local law.

"Code Enforcement Officer" shall mean the Code Enforcement Officer appointed pursuant to subdivision (b) of section 3 of this local law.

"Code Enforcement Personnel" shall include the Code Enforcement Officer and all Inspectors.

"Compliance Order" shall mean an order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 15 of this local law.

"County" shall mean Wayne County, New York.

"Energy Code" shall mean the State Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.

"Inspector" shall mean an inspector appointed pursuant to subdivision (d) of section 3 of this local law.

"Operating Permit" shall mean a permit issued pursuant to section 10 of this local law. The term "Operating Permit" shall also include an Operating Permit which is renewed, amended or extended pursuant to any provision of this local law.

"Permit Holder" shall mean the Person to whom a Building Permit has been issued.

"Person" shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

"Stop Work Order" shall mean an order issued pursuant to section 6 of this local law.

"Temporary Certificate" shall mean a certificate issued pursuant to subdivision (d) of section 7

of this local law.

"Uniform Code" shall mean the New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

SECTION 3. CODE ENFORCEMENT OFFICER AND INSPECTORS

- (a) The office of Code Enforcement Officer of the County of Wayne is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this local law with respect to all buildings, structures and premises owned by the County of Wayne only. The Code Enforcement Officer shall have the following powers and duties:
- (1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy / Certificates of Compliance, Temporary Certificates and Operating Permits, and the plans, specifications and construction documents submitted with such applications with respect to buildings, structures and premises owned by the County of Wayne only;
 - (2) upon approval of such applications, to issue Building Permits, Certificates of Occupancy / Certificates of Compliance, Temporary Certificates and Operating Permits, and to include in Building Permits, Certificates of Occupancy / Certificates of Compliance, Temporary Certificates and Operating Permits such terms and conditions as the Code Enforcement Officer may determine to be appropriate with respect to buildings, structures and premises owned by the County of Wayne;
 - (3) to conduct construction inspections, inspections to be made prior to the issuance of Certificates of Occupancy / Certificates of Compliance, Temporary Certificates and Operating Permits, fire safety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this local law with respect to buildings, structures and premises owned by the County of Wayne;
 - (4) to issue Stop Work Orders;
 - (5) to review and investigate complaints;
 - (6) to issue orders pursuant to subdivision (a) of section 14 (Violations) of this local law;
 - (7) to maintain records;
 - (8) to collect fees as set by the Wayne County Board of Supervisors;
 - (9) to pursue administrative enforcement actions and proceedings;
 - (10) in consultation with the Wayne County Attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this local law; and
 - (11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.
- (b) The Code Enforcement Officer shall be appointed by a majority vote of the Wayne County Board of Supervisors. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.
- (c) In the event that the Code Enforcement Officer is unable to serve as such for any reason, an individual shall be appointed by the Wayne County Board of Supervisors to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of his or her appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law. Any such Acting Code Enforcement Officer shall have current New York State Code Enforcement certification.

- (d) One or more Inspectors may be appointed by the Wayne County Board of Supervisors to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.
- (e) The compensation for the Code Enforcement Officer and Inspectors shall be fixed from time to time by the Wayne County Board of Supervisors.

SECTION 4. BUILDING PERMITS.

- (a) Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, demolition, or the extension of electrical, plumbing or HVAC systems of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Code Enforcement Officer.
- (b) Exemptions. No Building Permit shall be required for work in any of the following categories:
 - (1) Construction or installation of one story detached structures associated with one- or two- family dwelling or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88 square meters) relative to buildings, structures and premises owned by the County of Wayne;
 - (2) Installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) relative to buildings, structures and premises owned by the County of Wayne;
 - (3) Installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground relative to buildings, structures and premises owned by the County of Wayne;
 - (4) Installation of fences which are not a part of an enclosure surrounding a swimming pool relative to buildings, structures and premises owned by the County of Wayne;
 - (5) construction of retaining walls unless such walls support a surcharge or impound class I, II or IIIA liquids relative to buildings, structures and premises owned by the County of Wayne;
 - (6) installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses) relative to buildings, structures and premises owned by the County of Wayne;
 - (7) installation of partitions or movable cases less than 5'-9" in height relative to buildings, structures and premises owned by the County of Wayne;
 - (8) painting, wallpapering, tiling, carpeting, or other similar finish work relative to buildings, structures and premises owned by the County of Wayne;
 - (9) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances relative to buildings, structures and premises owned by the County of Wayne;
 - (10) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original

- specifications relative to buildings, structures and premises owned by the County of Wayne; or
- (11) repairs, provided that such repairs do not involve
 - (i) the removal or cutting away of a load bearing wall, partition, or portion thereof, or of any structural beam or load bearing component;
 - (ii) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress;
 - (iii) the enlargement, alteration, replacement or relocation of any building system; or
 - (iv) the removal from service of all or part of a fire protection system for any period of time relative to buildings, structures and premises owned by the County of Wayne.
 - (c) Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.
 - (d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:
 - (1) a description of the proposed work;
 - (2) the tax map number and the street address of the premises where the work is to be performed;
 - (3) the occupancy classification of any affected building or structure;
 - (4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and
 - (5) at least 2 sets of construction documents (drawings and/or specifications) which
 - (i) define the scope of the proposed work;
 - (ii) are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law;
 - (iii) indicate with sufficient clarity and detail the nature and extent of the work proposed;
 - (iv) substantiate that the proposed work will comply with the Uniform Code and the Energy Code; and
 - (v) where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the location of any existing or proposed well or septic system, the location of the intended work, and the distances between the buildings and structures and the lot lines.
 - (e) Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.
 - (f) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements

of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

- (g) Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.
- (h) Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.
- (i) Time limits. Building Permits shall become invalid unless the authorized work is commenced within 6 months following the date of issuance. Building Permits shall expire 12 months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.
- (j) Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.
- (k) Fee. The fee specified in or determined in accordance with the provisions set forth in section 15 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

SECTION 5. CONSTRUCTION INSPECTIONS.

- (a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.
- (b) Elements of work to be inspected. The following elements of the construction process shall be inspected made, where applicable:
 - (1) work site prior to the issuance of a Building Permit;
 - (2) footing and foundation;
 - (3) preparation for concrete slab;
 - (4) framing;
 - (5) building systems, including underground and rough-in;
 - (6) fire resistant construction;
 - (7) fire resistant penetrations;
 - (8) solid fuel burning heating appliances, chimneys, flues or gas vents;
 - (9) Energy Code compliance; and
 - (10) a final inspection after all work authorized by the Building Permit has been completed.
- (c) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to where the work

fails to comply with the Uniform Code or Energy Code. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

- (d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 15 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

SECTION 6. STOP WORK ORDERS.

- (a) Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:
 - (1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or
 - (2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or
 - (3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.
- (b) content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.
- (c) Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by [registered mail / certified mail]. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by [registered mail / certified mail]; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.
- (d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder and any other Person performing, taking part in or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order.
- (e) Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 15 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

SECTION 7. CERTIFICATES OF OCCUPANCY / CERTIFICATES OF COMPLIANCE

- (a) Certificates of Occupancy / Certificates of Compliance required. A Certificate of Occupancy / Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or sub classification to another.

Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy / Certificate of Compliance.

- (b) Issuance of Certificates of Occupancy / Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy / Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or sub classification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure or work prior to the issuance of a Certificate of Occupancy / Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy / Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy / Certificate of Compliance:
- (1) a written statement of structural observations and/or a final report of special inspections, and
 - (2) flood hazard certifications.
- (c) Contents of Certificates of Occupancy / Certificates of Compliance. A Certificate of Occupancy / Certificate of Compliance shall contain the following information:
- (1) the Building Permit number, if any;
 - (2) the date of issuance of the Building Permit, if any;
 - (3) the name, address and tax map number of the property;
 - (4) if the Certificate of Occupancy / Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy / Certificate of Compliance is issued;
 - (5) the use and occupancy classification of the structure;
 - (6) the type of construction of the structure;
 - (7) the assembly occupant load of the structure, if any;
 - (8) if an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required;
 - (9) any special conditions imposed in connection with the issuance of the Building Permit; and
 - (10) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy / Certificate of Compliance and the date of issuance.
- (d) Temporary Certificate. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate, may be occupied safely, (2) that any fire- and smoke-detecting or fire protection equipment which has been installed is operational, and (3) that all required means of egress from the building or structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate such terms and conditions as he or she deems necessary or appropriate to ensure safety or to further the purposes and intent of the Uniform Code. A Temporary Certificate shall be effective for a period of time, not to exceed [6] months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate. During the specified period of effectiveness of the Temporary Certificate, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

- (e) Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy / Certificate of Compliance or a Temporary Certificate was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.
- (f) Fee. The fee specified in or determined in accordance with the provisions set forth in section 15 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy / Certificate of Compliance or for Temporary Certificate.

SECTION 8. NOTIFICATION REGARDING FIRE OR EXPLOSION.

The chief of any fire department providing firefighting services for a property covered by this local law within this County shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent, any fire the origin of which has been traced to the electrical system of any buildings or structures, and any emergency response involving carbon monoxide detector activation.

SECTION 9. OPERATING PERMITS.

- (a) Operation Permits required. Operating Permits shall be required for conducting the activities or using the categories of buildings listed below:
 - (1) manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4) in the publication entitled Fire Code of New York State and incorporated by reference in 19 NYCRR section 1225.1;
 - (2) hazardous processes and activities, including but not limited to, commercial and industrial operations which produce combustible dust as a byproduct, fruit and crop ripening, and waste handling;
 - (3) use of pyrotechnic devices in assembly occupancies;
 - (4) buildings containing one or more areas of public assembly with an occupant load of 100 persons or more; and
 - (5) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Wayne County Board of Supervisors;

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

- (b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.
- (c) Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit.
- (d) Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in his or her discretion, issue a single Operating Permit to

- apply to all such activities.
- (e) Duration of Operating Permits. Operating permits shall be issued for such period of time, not to exceed one year in the case of any Operating Permit issued for an area of public assembly and not to exceed three years in any other case, as shall be determined by the Code Enforcement Officer to be consistent with local conditions. The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.
- (f) Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.
- (g) Fee. The fee specified in or determined in accordance with the provisions set forth in section 15 (Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

SECTION 10. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS FOR ALL BUILDINGS, STRUCTURES AND PREMISES OWNED OR USED BY THE COUNTY OF WAYNE

- (a) Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:
 - (1) Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly shall be performed at least once every twelve (12) months.
 - (2) Fire safety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed at least once every twelve (12) months.
 - (3) Fire safety and property maintenance inspections of all multiple dwellings not included in paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed at least once every thirty-six (36) months.
- (b) Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at any time upon:
 - (1) the request of the owner of the property to be inspected or an authorized agent of such owner;
 - (2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or
 - (3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist; provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.
- (c) Fee. The fee specified in or determined in accordance with the provisions set forth in section 15 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section.

SECTION 11. COMPLAINTS

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

- (a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;
- (b) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 14 (Violations) of this local law;
- (c) if appropriate, issuing a Stop Work Order;
- (d) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

SECTION 12. RECORD KEEPING.

- (a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:
 - (1) all applications received, reviewed and approved or denied;
 - (2) all plans, specifications and construction documents approved;
 - (3) all Building Permits, Certificates of Occupancy / Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;
 - (4) all inspections and tests performed;
 - (5) all statements and reports issued;
 - (6) all complaints received;
 - (7) all investigations conducted;
 - (8) all other features and activities specified in or contemplated by sections 4 through 12, inclusive, of this local law, including; and
 - (9) all fees charged and collected.
- (b) All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto shall be retained for at least the minimum time period so required by State law and regulation.

SECTION 13. PROGRAM REVIEW AND REPORTING

- (a) The Code Enforcement Officer shall annually submit to the Wayne County Board of Supervisors a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 12 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.
- (b) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this County, on a form prescribed by the Secretary of State, a report of the activities of this County relative to administration and enforcement of the Uniform Code.
- (c) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials this County is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of this County in connection with administration and enforcement of the Uniform Code.

SECTION 14: VIOLATIONS

- (a) Compliance Orders. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. Upon finding that any such condition or activity exists, the Code Enforcement Officer shall issue a Compliance Order. The Compliance Order shall (1) be in writing; (2) be dated and signed by the Code Enforcement Officer; (3) specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; (4) specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; (5) specify the period of time which the Code Enforcement Officer deems to be reasonably necessary for achieving compliance; (6) direct that compliance be achieved within the specified period of time; and (7) state that an action or proceeding to compel compliance may be instituted if compliance is not achieved within the specified period of time. The Code Enforcement Officer shall cause the Compliance Order, or a copy thereof, to be served on the owner of the affected property personally or by [registered mail / certified mail]. The Code Enforcement Officer shall be permitted, but not required, to cause the Compliance Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by [registered mail / certified mail]; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.
- (b) Civil Penalties. In addition to those penalties proscribed by State law, any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy / Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than \$200 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of the County of Wayne.
- (c) Injunctive Relief. An action or proceeding may be instituted in the name of the County of Wayne, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy / Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Compliance Order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Compliance Order or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this County, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Wayne County Board of Supervisors by Resolution.
- (d) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work

Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 381 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 381 of the Executive Law.

SECTION 15: FEES

A fee schedule shall be established by resolution of the Wayne County Board of Supervisors. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of occupancy / Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

SECTION 16. INTERMUNICIPAL AGREEMENTS

The County of Wayne may, by resolution, authorize the Code Enforcement Officer of the County of Wayne, to enter into an agreement, in the name of the County of Wayne, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 17. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 18. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

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

RESOLUTION NO. 663-16: AUTHORIZATION TO AWARD ON-DEMAND TERM CONTRACTS FOR ON-DEMAND HVAC SERVICES FOR WAYNE COUNTY PUBLIC WORKS

Mr. Miller presented the following:

WHEREAS, pursuant to Resolution No. 511-16, the Board authorized the Superintendent of Public Works to issue a Request for Qualifications for HVAC Services as per the needs of the Public Works Department; and

WHEREAS, the Superintendent of Public Works issued said Request for Qualifications for HVAC Services; and

WHEREAS, 3 proposals were received in response to the RFQ; and

WHEREAS, the Superintendent and the Deputy Superintendent of Public Works reviewed the proposals received; and

WHEREAS, as a result of the evaluation of the proposals, the Superintendent recommended term contracts be approved for Mechanical Advantage of Rochester, Inc and Monroe Piping & Sheet Metal, LLC to provide said services; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby accepts the recommendation of the

Superintendent of Public Works and authorizes the County Attorney and Superintendent of Public Works to prepare contracts with said firms; and be it further

RESOLVED, that the contracts shall be limited to a maximum cost of \$10,000 for a single HVAC service or repairs; and be it further

RESOLVED, that any repair over the \$10,000.00 shall require the Superintendent to obtain three quotes unless it is deemed an emergency and a high risk or danger to life; and be it further

RESOLVED, that the term of the contracts shall be three years with an option to renew for two one-year periods; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute the contracts with the above-referenced firms.

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

Mr. Miller noted that he would be withdrawing the resolution transmittal entitled, ***“Resolution Setting Date for Public Hearing on Amending Local Law in Relation to Designating Reserve Parking Areas on County-Owned Lands Adjacent to the County Court House and Hall of Justice.”***

RESOLUTION NO. 664-16: APPOINTMENT OF WAYNE COUNTY CODE ENFORCEMENT OFFICER

Mr. Miller presented the following:

WHEREAS, Local Law No. 3 for the year 2016 was adopted creating the office of the Wayne County Code Enforcement Officer for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code; and

WHEREAS, it required the Wayne County Board of Supervisors to appoint said Code Enforcement Officer; and

WHEREAS, the Code Enforcement Officer is required to obtain New York State basic code enforcement training along with annual in-service training to maintain this certification; and

WHEREAS, the Deputy Superintendent of Public Works, Scott Kolczynski currently holds a valid Code Enforcement Official certificate; now therefore, be it

RESOLVED, that the Deputy Superintendent of Public Works, Scott Kolczynski is hereby appointed as the Wayne County Code Enforcement Officer.

Mr. Verkey moved the adoption of the resolution. Seconded by Mrs. Pagano. Upon roll call, all Supervisors voted Aye. Mr. Kolczynski Abstained from voting. Absent – Supervisor Verno. The Chairman declared the Resolution adopted.

RESOLUTION NO. 665-16: AUTHORIZATION TO ABOLISH POSITION IN THE HIGHWAY DEPARTMENT AND CREATE NEW POSITION

Mr. Miller presented the following:

WHEREAS, in an effort to be able to better utilize personnel within the Public Works Department, it is advantageous to have an entry level job title that includes duties applicable to both Highway and Buildings work, and

WHEREAS, there is currently a vacant MEO2 position in the Highway department, and

WHEREAS, the Superintendent of Public Works and Director of Human Resources have developed the title of Public Works Technician, now, therefore be it

RESOLVED, that one MEO2 position within the Highway budget is hereby abolished, and be it further

RESOLVED, that one position of Public Works Technician within the Highway budget is hereby created.

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

RESOLUTION NO. 666-16: AUTHORIZATION TO ADVERTISE THE COUNTY OWNED PROPERTY AT 165 WATER STREET (ECCC BUILDING) FOR PUBLIC AUCTION

Mr. Miller presented the following:

WHEREAS, the County owns property located at 165 Water St in the Town of Lyons, NY known at the Erie Canal Cultural Center (ECCC); and

WHEREAS, the County is interested in selling this, subject to certain terms and conditions regarding the sale, future use and renovation of said property; and

WHEREAS, it has been determined that the County has no further governmental use for said property; now, therefore, be it

RESOLVED, that the said property located at 165 Water Street is hereby deemed to be surplus county property; and be it further

RESOLVED, that said property are hereby authorized to be disposed of by public auction to the highest responsible bidder, subject to certain terms and conditions; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise said property at public auction; and be it further

RESOLVED, that the County Board of Supervisors reserves the right to reject all bids for said property.

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

RESOLUTION NO. 667-16: AUTHORIZATION TO SIGN CONTRACT WITH KELLEY BROTHERS, LLC FOR THE REPLACEMENT OF THREE EXTERIOR DOORS

Mr. Miller presented the following:

WHEREAS, the Deputy Superintendent of Public Works has identified three exterior doors that should be replaced due to deterioration from the external environment; and

WHEREAS, these doors have been problematic and do not function correctly over the past few years, and

WHEREAS, two of these doors are located on the Fire Training Building and one on the Highway Central Garage Shop; and

WHEREAS, The Deputy Superintendent issued a Request For Proposal to four vendors and received the following responses:

Kelley Brothers, LLC:	\$11,996.30
Nicoletta Builders:	\$19,900.00
SJW Construction:	Responded that they would not be provide a quote at this time

Secor Lumber: No Response

WHEREAS, there is funding remaining in the Building & Ground Building Maintenance & Repair line to cover these repair; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the contract with Kelley Brother, LLC on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content for the replacement of three exterior doors.

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

RESOLUTION NO. 668-16: AUTHORIZATION TO PURCHASE SHELVING FOR JAIL RECORDS

Mr. Miller presented the following:

WHEREAS, the 911 Relocation Project displaced jail records that were originally kept in the basement of the Public Safety Building; and

WHEREAS, the intention was to move these records into the old 911 space once the relocation was complete; and

WHEREAS, these record are currently stored on pallets and not easily accessible; and

WHEREAS, there are no additional shelving unit available to properly store these larger banker boxes; and

WHEREAS, the Deputy Superintendent of Public Work has receive a quote and a layout for the old 911 space from ASR System Group, Inc for \$16,420.00 for the 49 section of shelving; and

WHEREAS, this shelving is currently on New York States Contract, contract number (PC66232); and

WHEREAS, there are still funds remaining in the E911 relocation project to cover this cost; now therefore, be it

RESOLVED, that the Deputy Superintendent of Public Works is authorized purchase the shelving from ASR System Group, Inc for a cost not to exceed \$16,420.00 and be it further

RESOLVED, that the Treasurer make the following project budget adjustment;

H1933 E911 Relocation Project

(Appropriations)

\$16,420 from .52583 Contingency (E911A - E911 Center)

\$16,420 to .52100 Furniture & Furnishing (E911A - E911 Center)

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

RESOLUTION NO. 669-16: ESTABLISHMENT OF FEES RELATED TO THE CODE ENFORCEMENT OFFICE

Mr. Miller presented the following:

WHEREAS, Local Law No. 3 for the year 2016 was adopted creating the office of the Wayne County Code Enforcement Officer for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code; and

WHEREAS, the Wayne County Board of Supervisors shall establish a fee schedule for the enforcement of the New York State Uniform Fire Prevention and Building Code; and

WHEREAS, it is not the intent for the County to bill itself for work performed by the County on County owned or leased property; and

WHEREAS, this fee schedule could be enforced on non-County agency wishing to make modification to County buildings, and

WHEREAS, the County's current NYS Code Enforcement officer has recommended the following proposed fee Schedule;

1. **New construction and additions:**

- (i) **one-and two-family homes, townhouses and accessory structures** constructed contemporaneously **\$.60 sq ft** for each sf of gross building area including garages but not including unoccupied basements and attics; **installation of a factory manufactured home \$.35 sq ft** for each sf of gross area.
- (ii) R1 through R4 buildings including accessory structures constructed contemporaneously **\$.60** for each sf of gross building area including garages but not including unoccupied basements and attics; **installation of an approved factory manufactured dwelling(s) \$.35** for each sf of gross area.
- (iii) installation of factory manufactured nonresidential building **\$.35** for each sf of gross building area including garages but not including unoccupied basements and attics.
- (iv) buildings containing **GROUP A, B, E, F, H, I, M or S1** occupancies **\$.75** for each sf of gross building area
- (v) buildings containing **GROUP S2 or U** occupancies **\$.35** for each sf of gross building area
- (vi) swimming pools, and other miscellaneous structures **\$.35**

- for each sf of gross structure area.
- (ix) sheds or other miscellaneous storage structures under 500 square feet and fences \$ 75.00
2. **Renovations, alterations and reconstructions:**
- (i) Renovations to include the removal and replacement or covering of existing materials, elements and equipment \$ 250.00
- (ii) Alterations involving the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment \$ 250.00
- (iii) Alterations including reconfiguration of space per sf of work area \$.50
- (iv) Reconstruction of space per sf of work area \$.50
3. **Fee For Demolition Permit** **\$300.00**
4. **Fees for Renewal of Permits –**
50% percent of whatever fee would be charged for a new permit.
5. **Fees for Miscellaneous Inspections.**
Miscellaneous inspections shall include all inspections of existing buildings which are requested by an owner, an owner's agent, a lessee, a tenant, or an occupant unless such request for an inspection is related to a complaint alleging Uniform Code violations.
- a. One-and two-family dwellings or a portion thereof **\$300.00**
- b. R1 through R4 occupancies **\$300.00**
plus \$25.00 for each dwelling unit or sleeping room required to be inspected.
- c. Non-residential occupancies **\$550.00**
6. **Fees for Fire Safety and Property Maintenance Inspections** **\$500.00**
Each building subject to inspections prescribed by 1202.4(b)
7. **Fees for Operation Permits** **\$300.00**
Operating Permits for the same location. When more than one permit is required for the same location, the code official is authorized to consolidate such permits and fees into a single permit provided that each provision is listed in the permit.
8. **Fees for Certificates of Occupancy or Completion.** No fee shall be charged for the issuance of a certificate of occupancy or compliance when such certificate is issued for a structure or project for which a building or demolition permit has been previously issued. In all other circumstances a fee in accordance with the schedule specified in subdivision 1202.7(d) of this section will be collected prior to the issuance of a certificate of occupancy or compliance.
9. **Refunds** If an application for a building or demolition permit is withdrawn prior to the commencement of a review of such application, the applicant may receive a refund of 100 percent of the fee paid. If a review of an application has been commenced prior to its withdrawal, or if an application is not approved after review, the applicant may receive a refund of 50 percent of the fee paid, provided no work has commenced. If work has commenced, and the application is either withdrawn or not approved, any fees paid shall not be refunded.
10. **Waiver of Fees.** The Board of Supervisors may waive any fee or a portion thereof if it is established that the payment of such fee will cause unnecessary hardship or that the waiver of the fee would be in the best interests of the County of Wayne.

11. **Working without a Permit.** Permit fees shall be 1.5 times the amount of the fee charged for the original permit.

now therefore, be it

RESOLVED, that the Wayne County Board of Supervisors adopts the above fee schedule for the Code Enforcement Office.

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

RESOLUTION NO. 670-16: AUTHORIZATION TO APPROVE 2016 CONSTRUCTION PROJECTS STATEMENTS, APPROPRIATE AND TRANSFER FUNDS, AND CLOSE COMPLETED CONSTRUCTION PROJECTS FOR THE PUBLIC WORKS DEPARTMENT

Mr. Miller presented the following:

WHEREAS, in accordance with Section 115 of the Highway Law, the Superintendent of Highways has prepared project statements for the proposed work for the following projects:

16-47 Travell Knapps Corners Road Culvert Project \$25,000
16-48 Woods Road Bridge Project \$25,000; and

WHEREAS, various Highway Construction and Bridge Projects have been completed in 2016 and final payments processed; and

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

RESOLVED, that the Project Statements prepared by the Superintendent of Public Works are hereby approved by the Board of Supervisors, and the Chairman of the Board and the Clerk of the Board are hereby authorized and directed to endorse such approval on the Project Statements; now, therefore, be it

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

D51122-ROAD CONSTRUCTION:

\$50,000 from .52900 Road Construction – Bridge Construction
\$25,000 to .52947 Travell Knapps Corners Road Culvert Project
\$25,000 to .52948 Woods Road Bridge Project; and be it further

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

D5112-ROAD CONSTRUCTION:

\$22,115.67 from .52610 Townline Road Project
\$2,182.44 from .52651 Furnace Road Project
\$25,000 from .52692 Johnson Road Drainage Project
\$33,020.57 to .52646 County House Road Project
\$15,543.17 to .52944 Hogback Road Project
\$734.37 to .52625 Hot-in-Place Recycle Project; and, be it further

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

D5112-ROAD CONSTRUCTION:

.52610 Townline Road Project
.52651 Furnace Road Project
.52692 Johnson Road Drainage Project
.52944 Hogback Road Project
.52625 Hot-in-Place Recycle Project

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

RESOLUTION NO. 671-16: AUTHORIZATION TO FULLY FUND PUBLIC DEFENDERS SPACE RENOVATION PROJECT AND ADVERTISE FOR BIDS

Mr. Miller presented the following:

WHEREAS, The Wayne County Board of Supervisor adopted Resolution No. 303-16 authorizing establishing the Public Defender's renovation project with the Indigent Legal Services grant funding of \$222,310

WHEREAS, the Wayne County Board of Supervisors adopted Resolution No. 373-16 authorizing an agreement with SWBR Architects for a cost not to exceed \$53,000 to prepare final design and bid documents for the proposed Public Defender's space renovation project on the second floor of the Court House; and

WHEREAS, SWBR is about 85% complete with the final design and has provide the Superintendent of Public Works with a revised estimated project cost of \$1,035,290.00; and

WHEREAS, the estimated project cost includes \$75,000.00 for construction management services and 10% project contingency; and

WHEREAS, the Deputy Superintendent of Public Works has reviewed said revised project estimate and it appears to be reasonable for the proposed scope of the project.

WHEREAS, the adopted Wayne County Capital Plan listed this project in the year 2017 at an estimated amount of \$600,000; and

WHEREAS, the project was underestimated by \$400,000; and

WHEREAS, the Public Defender is anticipating an additional \$200,713.00 in Indigent Legal Service Grant funding that can be used on this project; and

WHEREAS, the Wayne County Board of Supervisors will need to fully fund that remaining cost of \$612,267.00 now, therefore be it

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

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

RESOLVED, that the County Treasurer is authorized to transfer \$612,267 from the Unassigned General Fund Balance, and be it further

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

A9950 Transfer to Capital Fund Projects

(Appropriations)

\$ 612,267 to 52774 - ILS15 Building Renovation Cap Proj (ILS15 project code)

H1933 Building Renovation Projects

(Revenues)

\$612,267 to 45031 Interfund Transfer (ILS15 – Indigent Legal Services Fund 2015)

\$200,713 to 43024 Indigent Legal Services Fund (ILS15 – Indigent Legal Services Fund 2015)

(Appropriations)

\$812,980 to 52000 Equipment & Other Cap Outlay (ILS15 – Indigent Legal Services Fund 2015)

Mr. Smith moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Verno. The Chairman declared the Resolution adopted.

RESOLUTION NO. 672-16: AUTHORIZATION TO DISPOSE OF SURPLUS COUNTY VEHICLES

Mr. Miller presented the following:

WHEREAS, the Central Garage has several surplus vehicles that are no longer serviceable and should be disposed of, and

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

noted:

	VEHICLE	DISPOSAL
2008 Dodge Durango	VIN 1D8HB38N38F156378	Auction
2009 Dodge Durango	VIN 1D8HB38P09F712651	Auction
2010 Dodge Caravan	VIN 2D4RN4DE6AR487074	Auction
2011 Ford Crown Victoria	VIN 2FABP7CV7BX111322	Auction/other

Municipality

now, therefore be it

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

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

RESOLUTION NO. 673-16: AUTHORIZATION TO AWARD ON DEMAND TERM CONTRACTS FOR ON-DEMAND ELECTRICAL SERVICES

Mr. Miller presented the following:

WHEREAS, pursuant to Resolution No. 511-16, the Board authorized the Superintendent of Public Works to issue a Request for Qualifications for Electrical Services as per the needs of the Public Works Department; and

WHEREAS, the Superintendent of Public Works issued said Request for Qualifications for Electrical Services; and

WHEREAS, 4 proposals were received in response to the RFQ; and

WHEREAS, The Superintendent and the Deputy Superintendent of Public Works reviewed proposals received for these services; and

WHEREAS, as a result of the evaluation of the proposals, the Superintendent recommended term contracts be approved for Colacino Industries, Connors Haas, Inc and O'Connell Electrical Company, Inc to provide said services; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby accepts the recommendation of the Superintendent of Public Works and authorizes the County Attorney and Superintendent of Public Works to prepare contracts with said firms; and be it further

RESOLVED, that the contracts shall be limited to a maximum cost of \$10,000 for a single the Electrical Services or repairs; and be it further

RESOLVED, that any repair over the \$10,000.00 shall require the Superintendent to obtain three quotes unless it is deemed an emergency and a high risk or danger to life; and be it further

RESOLVED, that the term of the contracts shall be three years with an option to renew for two one-year periods thereafter; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute the contracts with the above-referenced firms.

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

RESOLUTION NO. 674-16: AUTHORIZATION TO VOUCHER REMAINING BALANCE OF 2016 COUNTY WEED HARVESTING CONTRACT AND TO BE CLAIMED TO ENHANCE WEED HARVESTING EQUIPMENT

Mr. Miller presented the following:

WHEREAS, Wayne County contracts with the Wayne County Soil & Water Conservation District to harvest weeds in bays within Lake Ontario; and

WHEREAS, \$12,709.92 of the County Harvesting Contract funds for the 2016 year are remaining and unspent; and

WHEREAS, it is prudent to allow the unspent monies from the weed harvesting program to be utilized to enhance the Reserve for replacement of weed harvesting equipment at Soil

and Water; and

WHEREAS, the cost of harvesting equipment keeps increasing due to changes in emissions and raw materials for building of the harvesters and a long term replacement plan is being configured for future investment into the Aquatic Vegetative Control program. The general replacement cost of harvesting equipment is between \$115,000 to \$165,000 depending on size and design of equipment; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the remaining 2016 Weed Harvesting Program funds totaling \$12,709.92 to be vouchered and to be paid to the Wayne County Soil and Water Conservation District to enhance the reserve for future replacement of harvesting equipment in conjunction with the terms in the contract; and be it further

RESOLVED, that pursuant to Resolution No. 858-11 any use of these funds must be approved in advance by the Wayne County Board of Supervisors.

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

RESOLUTION NO. 675-16: AUTHORIZING EXECUTION AND SUBMISSION OF 2017 ALTERNATIVES TO INCARCERATION SERVICE PLAN UPDATE FOR PRE-TRIAL RELEASE PROGRAM AND AUTHORIZING PROGRAM FUNDING AGREEMENT WITH NEW YORK STATE DIVISION OF PROBATION ALTERNATIVES

Mr. Smith presented the following:

WHEREAS, Wayne County's Alternative to Incarceration Advisory Board prepares an annual Alternatives to Incarceration Service Plan Update; and

WHEREAS, the Plan Update includes the budget for the Pre-Trial Release Program provided by Wayne Pre-Trial Services, Inc., pursuant to a subcontract with Wayne County; and

WHEREAS, the budget for the Pre-Trial Release Program for the period from January 1, 2017 to December 31, 2017, is to be funded as follows:

State Funds	\$22,234
Required Local Match	\$118,298
Total	\$140,532

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors ("Chairman") is hereby authorized and directed to execute the 2017 Alternatives to Incarceration Services Plan Update on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, and to submit it to the New York Division of Probation and Correctional Alternatives; and be it further

RESOLVED, that the Chairman is hereby authorized and directed to execute a subcontract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne Pre-Trial Services, Inc. for provision of the program at a cost not to exceed \$140,532 to be funded as follows; State Funds \$22,234; County Funds \$118,298; and be it further

RESOLVED, that monthly payments of \$11,711 shall be made to Wayne Pre-Trial Services, Inc.

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

RESOLUTION NO. 676-16: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH CAYUGA COUNTY FOR THE HOUSING OF INMATES

Mr. Smith presented the following:

WHEREAS, Wayne County has had an agreement with Cayuga County for the housing of Cayuga County jail inmates in the Wayne County Jail since 2008; and

WHEREAS, said agreement will expire on December 31, 2016; and

WHEREAS, The Sheriff and Cayuga County are requesting to enter into another agreement for the housing of their inmates in the Wayne County Jail through December 31,

2019; and

WHEREAS, the Sheriff is requesting that Wayne County enter into another agreement with Cayuga County for the housing of Cayuga County Jail inmates in the Wayne County Jail, at a rate of \$85.00 per day, per inmate, through December 31, 2019; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and the Sheriff are hereby authorized to enter into an agreement with Cayuga County for the housing of Cayuga County jail inmates in the Wayne County Jail, at a rate of \$85.00 per inmate, per day, through December 31, 2019, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 677-16: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH POWER DMS FOR ACCREDITATION MANAGEMENT FOR THE WAYNE COUNTY SHERIFF'S OFFICE

Mr. Smith presented the following:

WHEREAS, the Wayne County Sheriff's Office is an accredited law enforcement agency having accreditation standards in all areas of operation (Police Services, Jail, Court Security and Civil); and

WHEREAS, "Power DMS" is a digital electronic management program offered by Power DMS, of South Garland Avenue, Suite 300, Orlando, Florida; and

WHEREAS, the "Power DMS" program will assist the Sheriff's designees in the management, distribution and record keeping of policy directives, training records and accreditation standards management and revisions tracking for the four Sheriff's Office Accreditation Programs (Police Services, Jail, Court Security and Civil); and

WHEREAS, the "Power DMS" program will load up to 200 documents, provide 20 hours of remote training, assist the Sheriff's designees with management assistance, provide a self-paced learning portal, live training webinars, training tutorials and quick sheet displays for a startup fee of \$2,500.00; and

WHEREAS, the cost of the "Power DMS" program is \$8,289.60 per year; and

WHEREAS, the total cost to startup and manage the "Power DMS" program is \$10,789.60; and

WHEREAS, the cost for the "Power DMS" program will be paid from the Wayne County Jail Revenue account with no cost to County taxpayers; and

WHEREAS, the Sheriff is requesting that the County enter into an agreement with Power DMS, of South Garland Avenue, Suite 300, Orlando, Florida to commence upon authorization of the Board of Supervisors, at a cost of \$8,278.60 per year, with an initial start-up fee of \$2,500.00 to be paid by the Jail Revenue account, with no cost to County taxpayers; now, therefore, be it

RESOLVED, that because this is the only software recognized by the accreditation agency CALEA due to copy rights, the Wayne County Board of Supervisors declares Power DMS as a sole source; and be it further

RESOLVED, that the Chairman of the Board of Supervisors and the Sheriff are hereby authorized to enter into an agreement with Power DMS, of South Garland Avenue, Suite 300, Orlando, Florida upon authorization of the Board of Supervisors, at a cost of \$8,289.60 per year, with initial start-up fee of \$2,500.00, to be paid by the Jail Revenue Account, with no cost to County taxpayers, and upon review and approval of the County Attorney.

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

RESOLUTION NO. 678-16: AUTHORIZATION TO AMEND THE 2016 SHERIFF'S BUDGET AND PURCHASE OF SNOWMOBILE TRAILER

Mr. Smith presented the following:

WHEREAS, the Wayne County Sheriff is desirous to update the 2013 Blizzard Nor-Easter 12 snowmobile trailer (VIN5PBES1217DB006090) that had been damaged in a motor vehicle

accident on February 14, 2015; and

WHEREAS, the insurance award to repair the 2013 Blizzard Nor-Easter 12 snowmobile trailer is estimated at \$1,638.00; and

WHEREAS, the Sheriff will trade or sell the 2013 Blizzard Nor-Easter 12 snowmobile trailer at fair market value to offset the purchase of a similar new snowmobile trailer; and

WHEREAS, the Sheriff budget for 2016 in the Road Patrol Equipment for a low profile lighting kit for \$1,650.00 was not expended; and

WHEREAS, the Sheriff is requesting that the 2016 budget be amended for the use of the insurance award and unexpended low profile lighting kit budget toward the purchase of a snowmobile trailer similar to the 2013 Blizzard Nor-Easter 12 snowmobile trailer; now therefore be it

RESOLVED, that the Sheriff is hereby authorized to purchase a snowmobile trailer similar to the 2013 Blizzard Nor-Easter 12 snowmobile trailer at a cost not to exceed \$3,288 plus trade or resale value of the existing 2013 Blizzard Nor-Easter 12 snowmobile trailer; and further be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to modify the 2016 County budget as follows:

A1931 Liability & Casualty Reserve

(Appropriations)

\$1,638.00 from .54998 Liability and Casualty

A3114 Road Patrol

(Appropriations)

\$1,650.00 from .52500 Other Equipment

A3111 Recreation Safety

(Appropriations)

\$3,288.00 to .52500 Other Equipment

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

RESOLUTION NO. 679-16: AUTHORIZATION TO AMEND THE 2016 SHERIFF'S BUDGET FOR THE PURCHASE OF PATROL SHOTGUNS

Mr. Smith presented the following:

WHEREAS, the Wayne County Sheriff has a need for eight (8) patrol shotguns, slings, side saddle shell holders and related hardware to complete the outfitting of the Road Patrol Deputy Sheriff staff; and

WHEREAS, the Sheriff budgeted for anticipated major crimes and field operations in 2016 in the Detective 3115 cost center; and

WHEREAS, the need for those funds did not develop and have not been used year to date; and

WHEREAS, the Sheriff is requesting that the 2016 budget be amended so that \$6,025.59 can be used to purchase eight (8) patrol shotguns, slings, side saddle shell holders and related hardware; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to purchase eight (8) patrol shotguns, slings, side saddle

shell holders and related hardware at a cost not to exceed \$6,025.59; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to modify the 2016 County budget as follows:

A3114 Road Patrol

\$6,025.59 to .52500 Other Equipment

A3115 Detective

\$6,025.59 from .54600 Misc

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

RESOLUTION NO. 680-16: AUTHORIZATION TO EXECUTE AN AFFILIATION

AGREEMENT WITH KEUKA COLLEGE FOR A STUDENT INTERN FOR THE SHERIFF'S OFFICE

Mr. Smith presented the following:

WHEREAS, the Wayne County Sheriff's Office periodically agrees to have both undergraduate and graduate students participate in internships through various educational institutions; and

WHEREAS, the Sheriff has agreed to have Kali Hemings, undergraduate Criminal Justice student with Keuka College, 141 Central Avenue, Keuka Park, NY 14478, participate in an internship program with the Wayne County Sheriff's Office; and

WHEREAS, said internship is dependent upon an Affiliation Agreement between the County of Wayne and Keuka College; and

WHEREAS, the Sheriff is requesting that an Affiliation Agreement between the County of Wayne and Keuka College be executed; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an Affiliation Agreement for a student internship with Keuka College, 141 Central Avenue, Keuka Park, NY 14478, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 681-16: AUTHORIZATION TO ENTER INTO AN EQUITABLE SHARING AGREEMENT WITH THE UNITED STATES DEPARTMENT OF JUSTICE

Mr. Smith presented the following:

WHEREAS, The U.S. Department of Justice works closely with more than 8,000 state and local law enforcement agencies, including the Wayne County Sheriff's Office, on cases involving the seizure and forfeiture of property and funds. Through the Equitable Sharing Program, the Department of Justice is able to distribute forfeited property and funds to participating agencies, including the Wayne County Sheriff's Office, which helps offset crime investigation costs; and

WHEREAS, before any property and/or funds can be distributed to the Wayne County Sheriff's Office, the Sheriff's Office must be in compliance with the reporting requirements of the Department of Justice; and

WHEREAS, the Sheriff and the Chairman of the Board of Supervisors must enter into an Equitable Sharing Agreement for the fiscal year of 2016; and

WHEREAS, there is no cost to the Sheriff's Office to participate in the Equitable Sharing Program; now, therefore, be it

RESOLVED, that the Sheriff and the Chairman of the Board of Supervisors are hereby authorized to enter into an Equitable Sharing agreement with the U.S. Department of Justice, and sign a certification form, upon review and approval of the County Attorney.

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

RESOLUTION NO. 682-16: AUTHORIZATION TO EXECUTE AN AFFILIATION AGREEMENT WITH THE SODUS CENTRAL SCHOOL DISTRICT FOR A STUDENT INTERN FOR THE SHERIFF'S OFFICE

Mr. Smith presented the following:

WHEREAS, the Wayne County Sheriff's Office periodically agrees to have students participate in internships through various educational institutions; and

WHEREAS, the Sheriff has agreed to have Josh Jensen, a Sodus Central School District student participate in an internship program with the Wayne County Sheriff's Office; and

WHEREAS, said internship is dependent upon an Affiliation Agreement between the County of Wayne and Sodus Central School District; and

WHEREAS, the Sheriff is requesting that an Affiliation Agreement between the County of Wayne and Sodus Central School District be executed; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an Affiliation Agreement for a student internship with the Sodus Central School District, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 683-16: AUTHORIZATION TO DECLARE EQUIPMENT SURPLUS FOR THE PUBLIC DEFENDER'S OFFICE

Mr. Smith presented the following:

WHEREAS, the Public Defender's Office currently has surplus equipment that is no longer in use; and

WHEREAS, the Public Defender wishes to declare the following equipment as surplus and request same be disposed of:

(One) BROTHER printer – Asset Number: 201405003 – Serial Number: U62674A4N872970

Now, therefore, be it

RESOLVED, that the Public Defender is hereby authorized to declare the above listed items as surplus equipment as per the Wayne County Disposal Policy; and be it further

RESOLVED, the Director of Buildings and Grounds is hereby authorized to dispose of this equipment as per the Wayne County Disposal Policy.

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

RESOLUTION NO. 684-16: AUTHORIZATION TO SIGN AGREEMENT FOR CUSTODY AND USE OF OIL SPILL RESPONSE TRAILER AND EQUIPMENT FOR THE EMERGENCY MANAGEMENT

Mr. Smith presented the following:

WHEREAS, New York State Department of Environmental Conservation (NYSDEC) is desirous of placing an Oil Spill Response Trailer and associated equipment in Wayne County; and

WHEREAS, said trailer would be loaned to Wayne County to be used in accordance with the terms and conditions of the Response Trailer Agreement; and

WHEREAS, NYSDEC would be responsible for the maintenance of said trailer and replacement of any used equipment or supplies; and

WHEREAS, the Fire Coordinator and Emergency Manager are in agreement that said trailer would be beneficial to Wayne County during Oil and other Hazmat emergency responses; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to execute an agreement with the New York State Department of Environmental Conservation on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, for the custody and use of the NYSDEC Oil Spill Response Trailer and Equipment.

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

RESOLUTION NO. 685-16: AUTHORIZATION TO AMEND BUDGET FOR E911 AND MAKE SOLE SOURCE PURCHASE OF ACCREDITATION MANAGEMENT SOFTWARE

Mr. Smith presented the following:

WHEREAS, Wayne County E911 is desirous of achieving agency accreditation; and

WHEREAS, a necessary component of accreditation is accurate record keeping of departmental policies and procedures; along with dispatcher training and certification; and

WHEREAS, "Power DMS" is a digital electronic management program offered by Power DMS, of South Garland Avenue, Suite 300, Orlando, Florida; and

WHEREAS, the "Power DMS" program will assist E911 in the management, distribution and record keeping of policy directives, training records and accreditation standards

management and revisions tracking for Wayne County E911; and

WHEREAS, E911 is working in conjunction with the Wayne County Sheriff's Office, who is also in need of the same software to obtain the best possible pricing; and

WHEREAS, PowerDMS is the only software recognized by the accreditation agency CALEA, and as such is the sole source provider of accreditation management software; and

WHEREAS, the Emergency Management Office and the Sheriff's Office have researched other possible sources with the same conclusion that there are no other alternative products or sources that perform the same function as this product resulting in a negative finding that the need would be best met by conducting an agency specific competitive bid; and

WHEREAS, purchasing along with the Sheriff's Office reduces the E911 cost from \$6,971.00 to \$3,519.35 of which \$2,500 is a one-time cost for start-up and training, and \$27.55 per employee (currently 35) shall be an annual recurring cost (currently \$1,019.35); now, therefore, be it

RESOLVED, that because this is the only software recognized by the accreditation agency CALEA due to copy rights, the Wayne County Board of Supervisors declares Power DMS as a sole source; and be it further

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

A3642 E911 Communications

(Appropriations)

Amount	Object#	Object Name
\$ 160 from	.54483	Training-Seminars and Schools
\$ 160 to	.54475	Software

and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with Power DMS, of South Garland Avenue, Suite 300, Orlando, Florida upon authorization of the Board of Supervisors, at a cost of \$1,019.35 per year, with initial start-up fee of \$2,500.00.

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

RESOLUTION NO. 686-16: AUTHORIZATION TO SURPLUS RICOH COPIER FOR EMERGENCY MANAGEMENT

Mr. Smith presented the following:

WHEREAS, Wayne County Emergency Management has maintained a Ricoh Aficio model 1035G, black and white copier, serial number H7011200208 (Wayne County Asset Tag 003836) in Room 2025 - Dose Assessment Office for the purpose of printing dose calculations and copying incoming faxes for distribution; and

WHEREAS, said copier is now fourteen years old with 835,804 copies printed; and

WHEREAS, the annual maintenance contract for said copier is currently \$696 and projected to increase in 2017; and

WHEREAS, a change in dose calculation software provided by Ginna now requires color printing; and

WHEREAS, said copier has been replaced with a color printer / copier for a total cost of \$440 with no annual service contract required; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to surplus Ricoh Aficio model 1035G, black and white copier, serial number H7011200208 (Wayne County Asset Tag 003836) as per the Wayne County Disposal policy.

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

RESOLUTION NO. 687-16: AUTHORIZATION TO CONTRACT WITH VICTOR B. CHAMBERS, ESQ. TO ACT AS ASSIGNED COUNSEL ADMINISTRATOR (APPELLATE

COUNSEL)

Mr. Smith presented the following:

WHEREAS, Resolution No. 652-16 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 seventy-five (\$75.00) per hour for a term that commenced on January 1, 2016 and terminated December 31, 2016; and

WHEREAS, Mr. Chambers is willing to continue to provide said services to the County at the same rate of seventy-five (\$75.00) per hour for a term commencing January 1, 2017 through December 31, 2017; 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 seventy-five (\$75.00) an hour. The term of said agreement shall commence January 1, 2017 and terminate December 31, 2017.

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

RESOLUTION NO. 688-16: AUTHORIZATION TO CONTRACT WITH VICTOR B. CHAMBERS, ESQ. TO ACT AS ASSIGNED COUNSEL ADMINISTRATOR

Mr. Smith presented the following:

WHEREAS, Resolution No. 651-15 authorized Wayne County to contract with Victor B. Chambers, Esq. to act as Assigned Counsel Administrator at a rate of seventy-five (\$75.00) per hour total contract not to exceed Fourteen Thousand and 00/100 (\$14,000.00) for a term that commenced January 1, 2016 and terminated December 31, 2016; and

WHEREAS, Victor B. Chambers, Esq. is willing to continue to provide said services to the County at a rate of compensation of seventy-five (\$75.00) an hour for a contract amount not to exceed Fourteen Thousand and 00/10 (\$14,000.00) for a period commencing January 1, 2017 and terminating December 31, 2017; 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 seventy-five (\$75.00) an hour for a contract amount not to exceed Fourteen Thousand and 00/100 (\$14,000.00) for the period commencing January 1, 2017 and terminating December 31, 2017.

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

Supervisors asked questions regarding the reasons for two separate contracts for the processing services of the Assigned Counsel Administrator. County Attorney Connors explained the duties of the administrator for claims review and assignments of attorneys for county court cases as well and services regarding Appellate Court cases and decisions.

Mr. Verkey noted that this position function was established originally with grant funds and questioned why this board was continuing to fund these contracts as a full county expense.

Mr. Connors responded that in the past, cases were not distributed fairly prior to the beginning of these implemented contracts; and further commented that if these contracts are eliminated, this would cause more duties on County Court judges and county staff for case research, attorney assignments and review of claims for processing.

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

RESOLUTION NO. 689-16: AUTHORIZATION TO EXECUTE CONTRACT OF AFFILIATION AGREEMENT WITH KEUKA COLLEGE FOR A STUDENT INTERN FOR THE PROBATION DEPARTMENT

Mr. Smith presented the following:

WHEREAS, the Wayne County Probation Department periodically agrees to have both undergraduate and graduate students participate in internships through various educational institutions; and

WHEREAS, the Probation Director has agreed to have Thomas Kanaley, undergraduate Criminal Justice Student through Keuka College, 141 Central Avenue, Keuka Park, NY 14478, participate in an internship program with the Wayne County Probation Department; and

WHEREAS, said internship is dependent upon an Affiliation Agreement between the County of Wayne and Keuka College; and

WHEREAS, the Director of Probation is requesting that an Affiliation Agreement between the County of Wayne and Keuka College be executed; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an Affiliation Agreement for a student internship with Keuka College, 141 Central Avenue, Keuka Park, NY 14478, 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. 690-16: RESCINDING RESOLUTION NO. 619-16, RESTATING APPOINTMENT OF INTERIM DIRECTOR OF PROBATION AND SETTING SALARY

Mr. Smith presented the following:

WHEREAS, the Board adopted resolution 619-16 on November 15, 2016; and

WHEREAS, the Public Safety Committee wishes to rescind Resolution No. 619-16 and substitute different provisions in its place; and

WHEREAS, the Public Safety Committee recommends that an interim assignment be made so that the Probation Department has a department head in place while a search for a permanent Director can be conducted; now, therefore, be it

RESOLVED, that Resolution No. 619-16 is hereby rescinded; and be it further

RESOLVED, that Mark Ameenle is hereby appointed to the position of Interim Director of Probation at the rate of \$70,392 effective on the first pay period after December 20, 2016; and be it further

RESOLVED, that this rate of pay shall remain in effect for such portions of the 2016 and 2017 fiscal years that Mark Ameenle serves as Interim Director of Probation/Correctional Alternatives.

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

RESOLUTION NO. 691-16: AUTHORIZING PAYMENT OF 2017 APPROPRIATION FOR WAYNE COUNTY SOIL AND WATER CONSERVATION DISTRICT

Mrs. Marini presented the following:

WHEREAS, the sum of \$220,000.00 was appropriated in the 2017 County Budget for the support and maintenance of the work of the Wayne County Soil and Water Conservation District; and

WHEREAS, the sum of \$89,000 was appropriated for drainage improvement and maintenance work; and

WHEREAS, the sum of \$100,000 was appropriated for Weed Harvesting program including \$15,000 provided by participating towns; now, therefore, be it

RESOLVED, that the payment shall be paid from Account No. A87304 made to the properly bonded Treasurer of the Wayne County Soil and Water Conservation District in three installments (January - \$73,333.33; April - \$73,333.33; July - \$73,333.34) upon submission by the Soil and Water Conservation District of claims for payment, after audit and approval of the

content, requiring Cooperative Extension to expend such funds in accordance with an agreement between the Association and Cornell University as agent for the State for the cooperative management of the educational work of the Cooperative Extension Association and the proper supervision of the professional staff employed, and in accordance with the budget of the Association submitted to Cornell University and the Board of Supervisors, and to render an annual report to the Board of Supervisors accounting for receipts, expenditures, and financial condition of Cooperative Extension; and be it further

RESOLVED, that the appropriated sum of \$443,580 shall be paid in equal quarterly installments of \$110,895 to the bonded Treasurer of Cooperative Extension, upon audit and approval by the Board of Supervisors of vouchers submitted by Cooperative Extension in such form and containing such information and documentation as may be required by the Board of Supervisors, provided that Cooperative Extension shall comply with the County's Category II minimum insurance standards.

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

RESOLUTION NO. 694-16: AUTHORIZING TRANSFER OF PROPERTY TO THE CLYDE VOLUNTEER FIRE DEPARTMENT, INC. – PARCEL #74112-14-356318

Mrs. Marini presented the following:

WHEREAS, the County of Wayne acquired ownership of the above noted property through the 2002 tax foreclosure proceedings and the above noted property was transferred to the County of Wayne through a Treasurer's Deed dated May 19, 2004. Further, the above noted property is identified by Tax ID#74112-14-356318 being located in the Village of Clyde, with dimensions of approximately 44' x 96'; and

WHEREAS, the Clyde Volunteer Fire Department, Inc. is desirous of receiving the above cited property to be used for additional parking during community events and a fire personnel training area; and

WHEREAS, the County is authorized to transfer the title of the aforesaid real property under General Municipal Law, Section 72-h, which authorizes and allows the County to make a conveyance of real property owned by the County to the Clyde Volunteer Fire Department, Inc. for use by the Clyde Volunteer Fire Department, Inc., as above stated; now, therefore, be it

RESOLVED that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to sign said transfer of title for the above described property to the Clyde Volunteer Fire Department, Inc. for use as indicated above with all recording and transfer fees being the responsibility of the Clyde Volunteer Fire Department, Inc. based upon Board Resolution with 2/3 support of all Board members; subject to the County Attorney's approval.

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

RESOLUTION NO. 695-16: APPROVING PAYMENT OF 2017 APPROPRIATIONS TO GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL

Mrs. Marini presented the following:

WHEREAS, the County of Wayne has appropriated the sum of \$9,970 as its share of the 2017 operating funds of the Genesee/Finger Lakes Regional Planning Council; now, therefore, be it

RESOLVED, that the payment of \$9,970 to the Genesee/Finger Lakes Regional Planning Council for 2017 is hereby approved.

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

RESOLUTION NO. 696-16: AUTHORIZATION TO PAY WAYNE COUNTY HISTORICAL SOCIETY AND MUSEUM 2017 APPROPRIATIONS

Mrs. Marini presented the following:

WHEREAS, the Wayne County Board of Supervisors has budgeted 2017 funds for the Wayne County Historical Society and Museum; now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to pay the sum of \$16,200 in one installment in the month of June 2017, for the 2017 Appropriation to the Wayne County Historical Society and Museum, upon submission of a claim for payment and after audit and approval of the claim by the Board of Supervisors.

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

RESOLUTION NO. 697-16: AUTHORIZATION TO PAY WAYNE COUNTY FEDERATION OF SPORTSMEN'S CLUB 2017 APPROPRIATIONS

Mrs. Marini presented the following:

WHEREAS, the Wayne County Board of Supervisors has budgeted 2017 funds for the Wayne County Federation of Sportsmen's Club; now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to pay the sum of \$1,877 for the 2017 Appropriation to the Wayne County Federation of Sportsmen's Club, upon submission of claims for payment and after audit and approval of said claims by the Board of Supervisors.

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

RESOLUTION NO. 698-16: AUTHORIZATION TO PAY 2017 APPROPRIATION FOR PALMYRA UNION AGRICULTURAL SOCIETY FOR THE WAYNE COUNTY FAIR

Mrs. Marini presented the following:

WHEREAS, the sum of \$5,265 was appropriated in the 2017 County Budget for financial support to the Wayne County Fair through the Palmyra Union Agricultural Society; now, therefore, be it

RESOLVED, that the appropriated sum of \$5,265 shall be paid from Account No. A87524.5400 in a one-time payment to the Treasurer of the Palmyra Union Agricultural Society, upon receipt of an invoice submitted to the Clerk of the Board.

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

RESOLUTION NO. 699-16: AUTHORIZATION TO TRANSFER FUNDS AND AMEND 2016 BUDGET FOR LIABILITY AND CASUALTY ACCOUNT

Mrs. Marini presented the following:

WHEREAS, the line item A19314.54998 (Liability and Casualty) has been expended for repairs to County owned vehicles; and

WHEREAS, the County Attorney's Office has a few additional bills that need to be paid this year; and

WHEREAS, line item A1931.42680 (Insurance Recoveries) has \$12,184; now, therefore, be it

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

A1931 Liability and Casualty

\$12,184 to .42680 Insurance Recoveries

\$12,184 to .54998 Liability and Casualty

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

RESOLUTION NO. 700-16: AUTHORIZATION TO AMEND THE 2017 CONTRACT FOR LEGAL SERVICES WITH LEGAL ASSISTANCE OF WESTERN NEW YORK AND AMEND BUDGET

Mrs. Marini presented the following:

WHEREAS, the County entered into an agreement with Legal Assistance of Western New

York for the provision of legal services in Family Court Assigned Cases of indigent residents of Wayne County pursuant to Resolution 183-16 duly enacted by the Wayne County Board of Supervisors on March 15, 2016; and

WHEREAS, Legal Assistance of Western New York has requested to add cases that fall under Judiciary Law §35 to their current contract, for the payment of an additional sum of Nine Thousand (\$9,000.00) Dollars per year, which would increase their contract from Two Hundred Eleven Thousand Two Hundred Thirty Four dollars (\$211,234) to Two Hundred Twenty Thousand Two Hundred Thirty Four (\$220,234) dollars; now therefore be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized and directed to execute an amended contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Legal Assistance of Western New York, to provide that Legal Assistance of Western New York will provide this additional service of representing indigents assigned by the Court pursuant to Judiciary Law §35, for an additional sum of Nine Thousand (\$9,000.00) Dollars per year, for a total contract amount to be paid to Legal Assistance of Western New York of Two Hundred Twenty Thousand Two Hundred Thirty Four (\$220,234) dollars, and further be it

RESOLVED, that the County Treasurer is authorized to make the following 2017 budget adjustments:

A1172 Legal Defense of Indigents

(Appropriations)

\$9,000 from 54505 Assigned Counsel – Family

\$9,000 to 54561 Legal Aid for Indigents

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

RESOLUTION NO. 701-16: TAX REFUND – ERROR ON TAX ROLL

Mrs. Marini presented the following:

WHEREAS, applications for refund of real property tax claimed to be attributable to an error on the tax roll has duly been filed with the Director of Real Property Tax Services ("Director") for the properties listed below, pursuant to the provisions of Article Five, Title 3 of the Real Property Tax Law; and

WHEREAS, the Director investigated the circumstances of the claimed errors and has submitted a report recommending the applications be approved; now, therefore, be it

RESOLVED, pursuant to Article 5, Title 3 of the Real Property Tax Law that the following applications are hereby approved and the County Treasurer is hereby authorized and directed to pay the refunds:

TOWN OF SODUS

2016 Tax Roll

Account No.	67117-00-484090	
Assessed to:	Ameele, Benjamin C	
Total Tax Difference	\$ 484.72	Total County Tax Difference: \$ 0
Corrected Total Tax:	\$ 268.45	

and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to charge back the refunds in the manner prescribed by Section 556 of the Real Property Tax Law.

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

RESOLUTION NO. 702-16: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION)

Mrs. Marini presented the following:

WHEREAS, proceedings to review real property tax assessments are annually

commenced against assessing units, namely the Towns of Wayne County; and
WHEREAS, County taxes are based upon assessments established by the assessing units; and

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

WHEREAS, this Board approved Resolution No. 444-95, amended by Resolution No. 700-06, which was amended by Resolution No. 688-07 which was again amended by Resolution No. 307-10 and subsequently amended by Resolution 591-15 which defined standards and procedures for County participation in litigation involving challenges to real property assessments; and

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

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

WHEREAS, this is an ongoing Real Property Tax Law, Article 7 proceeding, and the assessed valuation of the property initially met the requirements for County participation when the action began, now, therefore, be it

RESOLVED, that the County of Wayne will participate in providing financial assistance for litigation challenges of real property tax assessments per the provisions of Resolution No. 591-15 for the following Town and their respective petition:

Town	Property Owner	Parcel ID#	Index #(s)
Macedon	DB Properties, LLC	61112-00-275327 61112-00-259374	2016-79801
Macedon	Wal-Mart Real Estate Business Trust	62111-00-320806	2016-79800

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

RESOLUTION NO. 703-16: AUTHORIZE NECESSARY 2016 YEAR END BUDGET TRANSFERS

Mrs. Marini presented the following:

WHEREAS, at year end it is necessary to transfer funds between departments and between line items to eliminate deficits; and

WHEREAS, the Budget Officer will prepare said line item transfers and forward them to the Treasurer's Office and Clerk of the Board; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer funds necessary for the year end as prepared and submitted by the Budget Officer; and be it further

RESOLVED, that a copy of such transfers shall be filed with the Clerk of the Board.

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

RESOLUTION NO. 704-16: AUTHORIZATION TO AMEND 2016 SALES TAX DISTRIBUTION TO THE TOWNS & VILLAGES, AND SALES & USE REVENUES BUDGETS

Mrs. Marini presented the following:

WHEREAS, One sixth of Sales Tax collections are distributed to the Towns & Villages; and

WHEREAS, Sales Tax collections are in excess of the amount anticipated in the 2016 Wayne County Budget, and as a result, the amount to be allocated to the Towns & Villages is in excess of the amount Appropriated in the budget; and

WHEREAS, the Sales & Used Tax revenues for distribution, and the Sales Tax to be distributed to the Towns & Villages are estimated to be \$125,000 more than was budgeted; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is authorized to amend the 2016 County Budget as follows:

A1985 – DISTRIBUTION OF SALES TAX

(Revenue)

\$125,000 to .41110 Sales & Use Tax

(Appropriations)

\$125,000 to .54455 Payments to Towns/Villages

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

RULE 14 RESOLUTIONS

RESOLUTION NO. 705-16: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE WAYNE CENTRAL SCHOOL DISTRICT FOR A DEPUTY SHERIFF TO PROVIDE LIMITED SCHOOL RESOURCE OFFICER ACTIVITIES AND STUDENT PROGRAMMING INSTRUCTION AND AMEND THE 2017 COUNTY BUDGET

Mr. Smith presented the following:

WHEREAS, the Wayne Central School District, hereinafter referred to as the District, was awarded funding in the form of a legislative grant for support of a law enforcement partnership; and

WHEREAS, the District is desirous to enter into a partnership with the Wayne County Sheriff for limited Deputy Sheriff School Resource Officer (SRO) activities and student programming instruction funded by the District, which shall include salary, training and other related expenses; and

WHEREAS, the District is requesting to enter into an agreement with the County and Wayne County Sheriff for limited SRO activities and student programming instruction commencing January 1, 2017 through June 30, 2017; and

WHEREAS, the Sheriff is requesting that the 2017 County Budget be amended and that an agreement be entered into with the District for limited SRO activities and Student programming instruction; and therefore be it

RESOLVED, that the Chairman of the Board of Supervisors and Wayne County Sheriff are hereby authorized to sign an agreement with the Wayne Central School District for limited Deputy Sheriff SRO activities and student programming instruction for the time period of January 1, 2017 through June 30, 2017, at no cost to County taxpayers, upon review and approval of the County Attorney; and further, be it

RESOLVED, that the 2017 County Budget be amended as follows:

A3114-ROAD PATROL:

(Revenues)

\$30,000.00 to .42770 Misc

(Appropriations)

\$30,000.00 to .51904 Overtime

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

RESOLUTION NO. 706-16: AUTHORIZATION TO EXECUTE AN AFFILIATION AGREEMENT WITH SODUS CENTRAL SCHOOL DISTRICT FOR A STUDENT INTERN FOR PUBLIC DEFENDERS OFFICE

Mr. Smith presented the following:

WHEREAS, the Wayne County Public Defender's Office periodically agrees to have students participate in unpaid internships through various educational institutions; and

WHEREAS, the Public Defender has agreed to have Anastasia Whitfield-Walker, a student at Sodus Central School District, 54 Mill Street, Sodus, New York 14551, participate in an internship program with the Wayne County Public Defender's Office; and

WHEREAS, said internship is dependent upon an Affiliation Agreement between the County of Wayne and Sodus Central School District, and

WHEREAS, the Public Defender is requesting that an Affiliation Agreement between the County of Wayne and Sodus Central School District be executed, now therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an Affiliation Agreement for a student internship with Sodus Central School District, 54 Mill Street, Sodus, New York 14551, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 707-16: AUTHORIZATION TO PURCHASE VEHICLE MODEMS AND LAPTOP DOCKS FOR WAYNE COUNTY ALS VEHICLE

Mr. Smith presented the following:

WHEREAS, vehicles of the Wayne County Sheriff's Office, local police departments within the County, and the Wayne County ALS response vehicles are all equipped with communications equipment that include Sierra wireless modems and Havis mobile computer docks; and

WHEREAS, there is an immediate need for one set of this equipment for the Wayne County ALS vehicle that was purchased from the Village of Macedon, but not previously equipped with the mobile computer equipment, and an immediate need for one Sierra wireless modem, with Wi-Fi, for installation and use in the Sheriff's Office Command Post; and

WHEREAS, there are currently no spare docks or spare modems in house for replacement of defective units, as all previously purchased modems and docks have been used on other installations; and

WHEREAS, there is currently available \$26,341.67 in A36432.52500 Public Safety Communications due to major equipment addendum items purchased below budgeted costs; now, therefore, be it

RESOLVED, that the Director of Disaster Preparedness shall be authorized to purchase two Havis DS-PAN-411 CF-53 docks, as well as three Sierra Wireless Airlink GX-450 modems, one of which shall be Wi-Fi capable, in accordance with County purchasing policy, at a total cost not to exceed \$3700.00, charged to A36432.52500 Other Equipment.

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

RESOLUTION NO. 708-16: AUTHORIZE CONTRACT WITH FAMILY COUNSELING SERVICE OF THE FINGER LAKES FOR THE PROVISION OF TRAUMA AND GENERAL COUNSELING SERVICES – TREATMENT SERVICES TO YOUTH/FAMILIES

Mr. Manktelow presented the following:

WHEREAS, the Wayne County Department of Social Services strives to keep families intact and children raised by their own parents/relatives; and

WHEREAS, many families at risk of having children placed outside the home have experienced high levels of trauma; and

WHEREAS, trauma-based counseling has been shown to reduce rates of out-of-home placements in at-risk families; and

WHEREAS, the Family Counseling Service of the Finger Lakes is certified to provide such trauma-based counseling services; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter

into a contract with Family Counseling Services of the Finger Lakes, subject to the approval of the County Attorney, for the provision of trauma and general counseling services for an amount not to exceed \$12,750 for the period 01/01/17 – 03/31/17.

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

EXECUTIVE SESSION: Mrs. Crane moved, seconded by Mr. Verkey that the Board go into Executive Session at 10:31 a.m. to discuss a potential litigation. Motion, carried.

REGULAR SESSION: Mrs. Crane moved, seconded by Mr. Chatfield that the Board resume regular session at 11:13 a.m. Carried.

ADJOURNMENT:

Chairman LeRoy announced that the next meeting of the Wayne County Board of Supervisors is the Organizational Board Meeting, scheduled **Tuesday, January 3, 2017 at 9:00 a.m.**

Mr. Smith moved, seconded by Mr. Kolczynski, that the board adjourn at 11:14 a.m. Carried. Sine Die.

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