

**Board of Supervisors**  
**WAYNE COUNTY**

**RESOLUTION NO. 254-14: ADOPTION OF LOCAL LAW AUTHORIZING THE ADOPTION OF SALARY ADMINISTRATION PROGRAM FOR MANAGEMENT AND CONFIDENTIAL POSITIONS**

Mrs. Crane presented the following:

WHEREAS, A Local Law adopting and implementing a Pay and Performance Management Plan for the County of Wayne Managerial and Confidential Employees, including certain appointed County officers during their term of office was presented to the Board of Supervisors on March 18, 2014; and

WHEREAS, a public hearing on the proposed local law was held on April 15, 2014 at 9:15 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. 2 FOR THE YEAR 2014**

A Local Law adopting and implementing a Pay and Performance Management Plan for the County of Wayne Managerial and Confidential Employees, including certain appointed County officers during their term of office.

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

**SECTION 1. LEGISLATIVE INTENT**

It is the intent of this Local Law to establish a mechanism and framework for Wayne County government to implement a Compensation and Performance Management Plan for Managerial and Confidential employees. Said Compensation and Performance Management Plan will provide an equitable system of compensation by pay grade and will promote efficiency, responsiveness, and effectiveness of County government by compensating individuals within the system based upon their performance.

**SECTION 2. DEFINITIONS**

As used in this local law, unless the context otherwise requires

- a. "County" shall mean the County of Wayne County
- b. "Board" shall mean the Board of Supervisors of the County of Wayne County
- c. "Employee" shall mean any person holding a position by appointment or employment in the service of the County, not including elected officials, or contractors.
- d. "Elected Officials" shall mean the Sheriff, District Attorney, Coroner, County Clerk, County Treasurer, members of the Board of Supervisors, and any elected positions that may be established by local or state law in the future.
- e. "Appointed Officials" shall mean all positions in the Unclassified or Exempt classes for which a term of appointment has been established, including the County Administrator, Director of Real Property Tax Services, County Attorney, County Auditor, Director of Human Resources, Public Defender, Election Commissioners (2), Commissioner of Social Services, Superintendent of Public Works, and any similar positions which may be established by the Board in the future.
- f. "Salaried" positions are positions paid a compensation amount fixed annually, and which are exempt from the payment of overtime in accordance with the Fair Labor Standards Act (FLSA).
- g. "Hourly" positions are positions paid a fixed rate per hour, with payment at one and half times the established hourly rate for work beyond forty (40) hours in a workweek.
- h. "Managerial and Confidential" employees are those County employees who are excluded, by either designation or agreement, from any and all collective bargaining units.
- i. "Department Head" shall mean any Managerial employee who is in charge of an operating department of the County.

**SECTION 3. RULES AND REGULATIONS**

The Board of Supervisors is authorized and empowered to:

- a. Establish pay-grades for the Managerial and Confidential employee group,
- b. Assign position titles and to established pay-grades
- c. Direct the Director of Human Resources to analyze and recommend the salary grade for any new Managerial or Confidential positions that may be created in the future.
- d. Establish an annual program of salary progression within pay-grades from minimum to midpoint to maximum.

**SECTION 4. EXCEPTIONS** This local law shall not apply to the setting of salary during term of office for the elected positions of County Clerk, County Coroner, County Treasurer, District Attorney, Sheriff, or any other elected County positions which may be established after this local law becomes effective.

**SECTION 5. SEVERABILITY**

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 6. EFFECTIVE DATE**

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. This local law shall take effect forty-five days after its adoption by the Wayne County Board of Supervisors, unless a Petition is filed within forty-five days from adoption by the County Board of Supervisors requesting a Referendum, in which case it shall not take effect until approved by majority vote of the qualified electors of a proposition for approval of such local law submitted at a general election held in accordance with Municipal Home Rule Law, §24, and it is subsequently 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 it shall be deemed to have been in full force and effect from that date.

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

WAYNE COUNTY  
**Board of Supervisors**  
LYONS, NEW YORK

**This is to Certify** that I, the undersigned, Clerk of the Board of Supervisors of the County of Wayne, have compared the foregoing copy of resolution with the original resolution now on file in this office and which was duly adopted by the Board of Supervisors of said County at a session held on the 15th day of April 2014 and that the same is a true copy of said original and of the whole thereof.

**In Witness Whereof**, I have hereunto subscribed my name and affixed the official seal of the Board of Supervisors of the County of Wayne, this 15th day of April 2014.

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Clerk of the Board

