

6th Day
Tuesday, April 15, 2008
9:00 a.m.

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

Upon roll call, all Supervisors were present, except Supervisors LeRoy and Park who were absent.

County Administrator James Marquette and County Attorney Daniel Wyner were also present.

APPROVAL OF MINUTES:

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

SUMMARY OF CLAIMS BY COMMITTEE:

Committee No. 1	Finance	
A13254	Treasurer	1,067.72
A13554	Assessment - Real Property Tax	1,358.69
A13644	Expenses on Prop Acquired	162.41
A16804	Information Technology	8,960.51
A19104	Unallocated Insurance	220,762.04
A19304	Judgments & Claims	7,908.85
A24904	Community College	472,763.31
H19082	FMS System Update	3,007.30
H19332	Building Renovation Project	5,471.06
H19352	Enhance911 Emergency Telephone	85.56
		721,547.45
Committee No. 2	Public Safety	
A11652	District Attorney	9,072.98
A11702	Public Defender	9,851.94
A11702	Public Defender	16,890.86
A11724	Legal Defense of Indigents	57,176.88
A11734	Wayne Pre-Trial Services, Inc.	8,869.92
A11854	Coroner	1,260.00
A11904	Grand Jury	1,780.50
A31104	Sheriff	9,923.22
A31124	Sheriff - Civil Office	847.99
A31134	Sheriff - Juvenile Office	767.98
A31144	Sheriff - Road Patrol	47,090.02
A31144	Sheriff - Road Patrol	12,223.61
A31152	Sheriff - Detective Unit	3,840.00
A31154	Sheriff - Detective Unit	823.38
A31164	Sheriff - Court Security	334.10
A31174	Animal Abuse Investigations	338.86
A31404	Probation	16,286.70
A31404	Probation	5,979.35
A31502	Sheriff - Jail	3,391.96
A31504	Sheriff - Jail	30,252.83
A33154	Stop DWI	6,457.11
A34104	Mutual Aid (Fire Coordinator)	182.99
A36404	Emergency Management Office	732.84
A36424	E911 Communications	10,083.74

A36444	ALS Services	<u>4,357.42</u>
		\$258,817.18
Committee No. 3	Public Works	
A16150	Buildings & Grounds	95.00
A16152	Buildings & Grounds	918.00
A16154	Buildings and Grounds	84,369.76
A16404	Central Garage	12,303.88
A66104	Consumer Affairs (W&M)	42.83
A87304	Soil Conservation	62,056.17
D50104	Highway Administration	877.82
D50202	Highway Engineering	1,632.13
D50204	Highway Engineering	309.18
D51104	Maintenance of Roads & Bridges	19,415.68
D51114	Road Striping and Sign Maint	4,516.28
D51122	Road Construction	22,738.27
DM51304	Road Machinery	<u>79,423.67</u>
		288,698.67
Committee No. 4	Economic Development & Planning	
A63264	Economic Development Admin	189,675.00
A64104	Publicity (Tourism)	2,056.14
A64114	Tourism Matching Funds Program	37,008.36
A80204	Planning Board	1,173.00
A80204	Planning Board	21,722.77
A81604	Solid Waste Management	242,342.75
A86874	Economic Development Zone Admin	10,552.00
A87544	County Extension Services	<u>106,161.75</u>
		610,691.77
Committee No. 5	Government Operations	
A10104	Legislative Board	5,353.24
A10404	Clerk Legislative Board	182.74
A12304	County Administration	167.09
A14104	County Clerk	1,599.34
A14204	County Attorney	10,286.58
A14304	Personnel Department	809.90
A14314	Cafeteria Plan	648.76
A14504	Board of Elections	1,492.84
A16704	Undistributed Meter Postage	1,689.00
A16714	Printing Department	10,748.15
A16724	Court House Xerox	429.40
A75104	County Historian	1,110.69
MS17104	Administrative Fees	30,365.42
S17104	Workers Comp	<u>179,045.00</u>
		243,928.15
Committee No. 6	Health & Medical Services	
A40102	Public Health	299.98
A40104	Public Health	20,886.21
A40112	Public Health Service	3,737.58
A40114	Public Health Service	23,580.55
A40162	PH - Early Intervention 0-1	132,017.00
A40174	PH - Child w/Spec Needs 3-5	594,505.29
A40182	Public Health Education	149.99
A40184	Public Health Education	4,092.42
A40194	Wayne Community Nursing Care	36,816.10
A40204	PH - EMS Coordinator	372.60

A43004	Behavioral Health	77,717.73
A43224	Community Providers	407,389.00
E60004	NH Combined	<u>15,071.45</u>
		1,549,120.70

Committee No. 7 Human Services

A60102	Administration	8,893.23
A60104	Administration	107,107.66
A60704	Purchase of Services	3,000.00
A61234	Juv Delinquent Care	2,507.87
A62124	WFD/DSS Intensive Employment	1,155.02
A62144	Economic Opportunity & Develop	468.52
A62924	WFD-APY Grant	50.28
A62934	WIA Adult	605.52
A62944	WIA Dislocated	1,327.61
A62954	WIA Youth	1,054.62
A62964	TANF Summer	858.00
A65104	Veteran Services	11,642.88
A67724	Area Agency on Aging	60,735.51
A73104	Youth Bureau	26,717.41
A73114	Youth Program – Recreation	<u>777.42</u>
		\$ 226,901.55

Warrant Total **\$ 3,899,705.47**
During the Month Utilities **\$ 80,783.84**

Mr. Plant moved, seconded by Mr. Kelsch, that the Summary of Claims be referred to the appropriate committees for audit. Upon roll call, carried.

COMMUNICATIONS:

The Clerk read the following:

The Sheriff's Report for the month of March 2008 in the amount of \$12,399.62 was received and filed.

A copy of the Western Finger Lakes Solid Waste Management Authority's January 14, 2008 Board Meeting minutes were received and filed.

A Notice of a "PILOT" agreement was received in the Town of Galen from the Wayne County Industrial Development Agency.

A letter was received from Assemblyman Robert Oaks, acknowledging receipt of WC Board of Supervisors Resolution No. 172-08 entitled "Authorization to Support Continuation of New York State Police Providing School Resource Officer Positions".

A letter of acknowledgement was received from Governor Paterson's office, regarding the forwarding of resolutions that were adopted last month.

A notice of reminder was received regarding Seneca and Wayne Counties co-sponsoring a Planning and Zoning Board training that is scheduled to begin at 4:30 PM on Wednesday, April 23, 2008 @ the Seneca Falls Community Center. Participation is encouraged at this session for those who need to fulfill yearly training requirements. Registration forms are available at the Planning Department.

A letter was received from Paul Voit, Director of Information Technology, announcing his upcoming retirement effective June 12, 2008.

Mrs. Crane moved, seconded by Mr. Fabino, that the Communications be received and filed. Upon roll call, carried.

BIDS:

- Asphalt Paving Rental with Operator
- Cold Milling from Midland Asphalt Materials Inc. for the Walworth Road Project
- Cold in-Place Recycling and Paving for the WC Highway Department's West Walworth

- Road Rehab Project
- Highway Construction and Maintenance Materials
- 2001 or Newer Hydraulic Track Excavator for the Wayne County Highway Department
- Asphalt Paving and Fiber Material Services for the Walworth Road Project
- Authorization to Accept Low Bid for Concrete Gutters and Sidewalks for the Wayne County Highway Department's Walworth Road Project
- Authorization to Accept Low Bid for (1) 2008 or Newer Wheel Type Hydraulic Excavator for the Wayne County Highway Department

Mr. Plant moved, seconded by Mr. Fabino, that the bids be referred to the appropriate committees for review. Upon roll call, carried.

ANNUAL REPORTS:

Wayne County District Attorney
 Wayne County Public Defender
 Wayne County Highway Department
 Wayne County Buildings and Grounds and Parks
 Wayne County Veterans Services Agency
 Wayne County Sheriff's Department
 Wayne County Real Property Tax Services
 Wayne County Historian
 Wayne County Water and Sewer Authority 2007 Annual Report
 Wayne County Water and Sewer Authority Letter of Communication
 Wayne County Water and Sewer Authority Basic Financial Statements for 2007 and 2006
 Mrs. Bender moved, seconded by Mrs. Collier, that all reports be received and filed.
 Upon roll call, carried.

PROCLAMATIONS:

- Supervisor Crane read two Proclamations, on behalf of the Board, entitled:
- National Nurses Week - May 6th-12th
 - National Nursing Home Week – May 11th-17th

PRIVILEGE OF THE FLOOR:

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

RESOLUTION NO. 243-08: AUTHORIZATION TO APPOINT MEMBER TO THE AGING SERVICES ADVISORY COUNCIL

Mr. Hammond presented the following:

WHEREAS, the New York State Office for the Aging requires each Area Agency on Aging to have an Aging Services Advisory Council; and

WHEREAS, a vacancy currently exists on the Wayne County Aging Services Advisory Council and the Department of Aging and Youth has recommended Corrine Kleisle, a resident of the Village of Lyons, to fill this vacancy; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors hereby appoints Corrine Kleisle to the Wayne County Aging Services Advisory Council for a term commencing on May 1, 2008 and ending on April 30, 2011; and be it further

RESOLVED, that the appointment is hereby confirmed.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 244-08: AUTHORIZATION TO EXECUTE LICENSE AGREEMENT FOR YELLOW JACKET RACING TO HOST A TRIATHLON IN SODUS POINT PARK

Mr. Hammond presented the following:

WHEREAS, Yellow Jacket Racing has requested the use of Sodus Point Park for the

staging of a triathlon on Sunday, August 17, 2008; and

WHEREAS, Yellow Jacket Racing will cover the cost of additional lifeguard coverage during the event and provide the liability insurance required by Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a license agreement with Yellow Jacket Racing for the purposes of staging a Triathlon Event on August 17, 2008 based out of the Sodus Point Park, subject to form and content to be approved by the County Attorney.

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

RESOLUTION NO. 245-08: AUTHORIZATION TO EXTEND TEMPORARY SOCIAL WELFARE EXAMINER POSITION AT SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, the Medicaid unit is charged with the timely and accurate processing of Medicaid applications, and

WHEREAS, untimely processing of applications may result in fiscal sanctions, and

WHEREAS, Resolution no. 874-07 created a temporary position of Social Welfare Examiner and authorized the Commissioner of Social Services to fill that position for a period of three months with a possible extension of 3 months based on whether sufficient staffing levels are able to be reached to allow timely processing; and

WHEREAS, the Medicaid unit presently has one position with the individual out on long term disability with no return date set, and two other positions filled by new employees just beginning to learn the complicated Medicaid system; and

WHEREAS, the unit is not able to achieve timely processing despite significant use of overtime, therefore be it

RESOLVED, that the temporary position of Social Welfare Examiner which was filled for the three month period of 2/1/08-4/30/08 be extended for an additional three months for the period of 5/1/08 – 7/31/08.

Mrs. Collier moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, all Supervisors voted Aye. Absent – Supervisors LeRoy and Park. The Chairman declared the Resolution adopted.

RESOLUTION NO. 246-08: AUTHORIZATION TO EXECUTE AGREEMENT FOR TEAP SERVICES WITH WAYNE COUNTY WORKFORCE DEVELOPMENT FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, New York State has been notified that it needs to meet Federal Participation Rates; and

WHEREAS, New York State has notified counties that they may face fiscal penalties if the Federal Participation Rates are not met; and

WHEREAS, Wayne DSS is desirous of implementing that which is within its power to raise its participation rates if possible; and

WHEREAS, Monies can be made available through diversion of safety net grants to employers which would allow for placements and/or training of safety net clients which can be expected to affect participation rates; now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to enter into an agreement with Wayne County Workforce Development for a TEAP Program in an amount not to exceed \$3,100, subject to the review of the County Attorney, for the timeframe 4/1/08-12/31/08.

Mr. Fabino moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 247-08: AUTHORIZE REQUEST FOR PROPOSAL FOR BURIAL SERVICES THROUGH THE DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, Wayne County Department of Social Services is required by law to provide disposition of the remains of a deceased individual who dies without the means to pay for a burial; and

WHEREAS, the provision of these services cost the county taxpayers up to \$100,000 per year; and

WHEREAS, making sure that the costs for burial services are as low as reasonably possible is in the best interests of the county; now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to create and disseminate a Request for Proposal(s) for Indigent Burial Services for Wayne County, subject to the review of the County Attorney.

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

RESOLUTION NO. 248-08: AUTHORIZATION TO AMEND RESOLUTION NO. 236-08 - AGREEMENT FOR THE PROVISION OF JANITORIAL AND CUSTODIAL SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, Res. No. 236-08 authorized an Agreement with the New York State Industries for the Disabled, Inc. (NYSID) for Janitorial and Custodial Services at the Wayne County Department of Social Services for the period March 1, 2008 through February 28, 2009 at a cost to be determined by prevailing wage, not to exceed \$45,000 during the 3/1/08-2/28/09 timeframe and with the option to renew for up to 2 additional years; and

WHEREAS, NYSID has notified us that there is a significant increase in the cost of this agreement due to NYS Article 9 prevailing wages; now, therefore, be it

RESOLVED, that Resolution No. 236-08 is hereby amended as follows: The Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the New York State Industries for the Disabled, Inc. for the provision of Janitorial and Custodial Services at the Wayne County Department of Social Services for the period March 1, 2008 through February 28, 2009 at a cost of \$63,113.95 during the 3/1/08-2/28/09 timeframe.

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

RESOLUTION NO. 249-08: AUTHORIZATION TO APPLY AND ACCEPT WIA PILOT GRANT FOR WAYNE COUNTY WORKFORCE DEVELOPMENT

Mr. Hammond presented the following:

WHEREAS, contingent upon notification of being awarded the WIA Pilot grant for a grant requested last year by Charles Bridger, retired WFD Director, in the amount of \$238,755, to be utilized for staff and participants; and

WHEREAS, this is a Workforce Investment grant, sponsored by Congressman James Walsh for a Workforce Investment Act (WIA) pilot, demonstration and research funds from the Fiscal year 2008 Labor, Health and Human Services and Education Appropriation; and

WHEREAS, Wayne County Workforce Development will be a Department of Labor ("DOL") pilot to administer a program to oversee and administer Job Training for Veterans; and

WHEREAS, target population are Veterans which will include a training program for veterans to focus upon the needs of core competencies of local, in demand, training programs, to provide training and current employment skills to veterans so they are able to integrate into the local job market. Providing them with relevant education and training is essential to achieving the goal to both attract and retain veterans when they return from active duty overseas; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to apply and approve

the acceptance of this Federal Grant to be administered by the Wayne County Workforce Development Office, monitored by the NYS DOL, meeting the requirements of section 171 of WIA, contingent upon contract approval by the County Attorney and budget approval of the Fiscal Manager.

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

RESOLUTION NO. 250-08: AUTHORIZATION TO ESTABLISH A WFD-DSS WAGE SUBSIDY DEPARTMENT IN THE 2008 COUNTY BUDGET

Mr. Hammond presented the following:

WHEREAS, the Workforce Development Office is contracting with the Department of Social Services to administer a Wage Subsidy program; and

WHEREAS, a budget is required to track expenditures and revenues; now therefore be it

RESOLVED, that the 2008 County Budget be amend to establish a department of WFD-DSS Wage Subsidy with a budget number of A6217; and further

RESOLVED, that the County Treasurer is hereby authorized to make the following transfers to the 2008 County Budget:

A6217-WFD-DSS WAGE SUBSIDY:

\$100,000.00 to .42766 (DSS Reimbursement)
\$ 10,800.00 to .51252 (Employment & Training Counselor)
\$ 7,400.00 to .51256 (Employment & Training Coordinator)
\$ 62,500.00 to .54000 (Contractual Expense)
\$ 200.00 to .54166 (Postage)
\$ 900.00 to .54230 (Telephone)
\$ 2,000.00 to .54199 (Miscellaneous)
\$ 300.00 to .54408 (Copier)
\$ 10,440.00 to .54485 (Travel)
\$ 1,765.00 to .58100 (Payments to NYS Retirement)
\$ 1,392.00 to .58200 (Payments to Social Security)
\$ 2,271.00 to .58400 (Hospitalization)
\$ 32.00 to .58600 (Disability)

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 251-08: AUTHORIZATION TO ESTABLISH A WFD-DSS TEAP DEPARTMENT IN THE 2008 COUNTY BUDGET

Mr. Hammond presented the following:

WHEREAS, the Workforce Development Office is contracting with the Department of Social Services to administer a TEAP program; and

WHEREAS, a budget is required to track expenditures and revenues; now therefore be it

RESOLVED, that the 2008 County Budget be amend to establish a department of WFD-DSS TEAP with a budget number of A6216; and further

RESOLVED, that the County Treasurer is hereby authorized to make the following transfers to the 2008 County Budget:

A6216-WFD-DSS TEAP:

\$ 3,100.00 to .42766 (DSS Reimbursement)
\$ 100.00 to .51088 (E & T Director II)
\$ 1,000.00 to .51252 (Employment & Training Counselor)
\$ 20.00 to .54166 (Postage)
\$ 125.00 to .54230 (Telephone)
\$ 500.00 to .54199 (Miscellaneous)
\$ 25.00 to .54408 (Copier)

\$ 1,000.00 to .54485 (Travel)
\$ 107.00 to .58100 (Payments to NYS Retirement)
\$ 85.00 to .58200 (Payments to Social Security)
\$ 136.00 to .58400 (Hospitalization)
\$ 2.00 to .58600 (Disability)

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 252-08: AUTHORIZATION TO EXECUTE WORKFORCE INVESTMENT ACT LOCAL PLAN MODIFICATION FOR PROGRAM YEAR JULY 1, 2008 – JUNE 30, 2009

Mr. Hammond presented the following:

WHEREAS, in compliance with the provisions of the Workforce Investment Act of 1998, the Interim Final Rule; Planning guidelines and instructions developed by the Governor regarding this Plan Modification is being submitted jointly by the Local Board and the respective Chief Elected Officials; and

WHEREAS, Draft Plan Modification is due April 11, 2008 to NYSDOL and submit with signatures page (21) to the local WIB by April 22; and

WHEREAS, the Plan Modification that was generated through this process, will amend and extend both the approved Local Plan, which originally covered the period July 1, 2005 – June 30, 2008, and the local area's approved Functional Alignment Addendum; and

WHEREAS, this Local Plan Modification will extend the existing Plan and Addendum to June 30, 2009 and will become the basis for local area policy and monitoring; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute any modification for the Workforce Investment Act Local Plan for the program year July 1, 2008 – June 30, 2009, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 253-08: AUTHORIZATION TO AMEND RESOLUTION NO. 337-07: AUTHORIZATION TO ESTABLISH FOSTER CARE RATES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, the Wayne County Department of Social Services desires to have safe, secure and well-trained foster care providers; and

WHEREAS, pursuant to Resolution No. 337-07, the Wayne County Board of Supervisors authorized Foster Care Rates for the contract period through 6/30/07, but not forward; and

WHEREAS, the Wayne County Department of Social Services has continued to pay providers past the contract period of 6/30/07; now, therefore, be it

RESOLVED, that the "RESOLVED" clause in Resolution No. 337-07 is hereby amended to read as follows:

"RESOLVED, that the following Foster Care Rates, effective 4/1/07, will remain in effect until amended by Board Resolution:"

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

RESOLUTION NO. 254-08: WAYNE COUNTY AUTHORIZATION TO APPOINT MEMBER TO WORKFORCE INVESTMENT BOARD

Mr. Hammond presented the following:

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

WHEREAS, the Workforce Investment Board members must be appointed by the

respective Board; and

WHEREAS, terms of appointment for each member will be made in accordance with the Finger Lakes Workforce Investment Board By-Laws; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby appoints the following individual to the Finger Lakes Workforce Investment Board to fill the unexpired term of Laurie Verbridge, ending June 30, 2008, then to be re-appointed for a new three-year term for the period of 7/1/08 – 6/30/11:

Angie Scanlon, HR Director
Ultralife Batteries
2000 Technology Parkway
Newark, NY

and be it further

RESOLVED, that certified copies of this resolution be sent to the appointees, to the Wayne, Ontario, Seneca, and Yates County Departments of Workforce Development, and to the Executive Director of the Workforce Investment Board.

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

RESOLUTION NO. 255-08: AUTHORIZATION TO ACCEPT CONTRACT BETWEEN WORKFORCE DEVELOPMENT AND WAYNE COUNTY DSS TO ADMINISTER WAGE SUBSIDY AND TEAP SERVICES

Mr. Hammond presented the following:

WHEREAS, The Wayne County Board of Supervisors has approved a grant in the amount of \$3,100 to pay for the cost of wages; and

WHEREAS, in an effort to reduce dependence on Public Assistance and increase employment skills, the targeted population is to be Public Assistance recipients of Wayne County; and

WHEREAS, the Workforce Development Office is contracting with the Department of Social Services to administer a Wage Subsidy and TEAP program; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby approves this agreement administered by the Wayne County Workforce Development Office, contingent upon contract approval by Wayne County Attorney.

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

RESOLUTION NO. 256-08: AUTHORIZATION TO ESTABLISH POSITION FOR STAFF PSYCHIATRIST – CHILDREN'S SERVICES FOR WAYNE BEHAVIORAL HEALTH NETWORK AND AMEND BUDGET

Mrs. Crane presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) continues to remain in essential need of additional child psychiatric medical staff services in order to provide and maintain adequate medical treatment to patients; and

WHEREAS, the maintenance of adequate adult psychiatric medical services within WBHN is dependent upon the availability of contracted psychiatric services; and

WHEREAS, Wayne Behavioral Health Network is in need of additional essential psychiatric medical staff services and also that Wayne County meets the National Criteria of a Federally-Designated Psychiatric Professional Shortage Area; now, therefore, be it

RESOLVED, that the Director of WBHN is authorized to announce the availability of a position for Staff Psychiatrist – Children's Services, and to hire for said position as a confidential management staff position at a salary range between \$155,000-\$165,000 in order to provide continued essential services, medical treatment, and continuity of care to the patients who are in need as described; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the Mental Health Dept. 2008 Budget as follows:

Mental Health Department

Appropriations:

- A43004.54566.M2110 Physician: from \$271,440 to \$129,641
- A43001.51496.M2110 Staff Psychiatrist: from \$0 to \$116,875
- A43001.58100.M2110 NYS Retirement: from \$36,141 to \$47,829
- A43001.58200.M2110 Social Security: from \$27,647 to \$36,588
- A43001.58400.M2110 Hospitalization: from \$48,604 to \$52,743
- A43001.58600.M2110 Disability: from \$1,466 to \$1,622

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, all Supervisors voted Aye. Absent – Supervisors LeRoy and Park. The Chairman declared the Resolution adopted.

RESOLUTION NO. 257-08: AUTHORIZATION TO EXECUTE CONTRACT BETWEEN WAYNE COUNTY DEPARTMENT OF MENTAL HEALTH AND LAKEVIEW MENTAL HEALTH SERVICES, INC. TO RECEIVE STATE AIDE FUNDING AND TO AMEND THE 2008 BUDGET

Mrs. Crane presented the following:

WHEREAS, the Department of Mental Health and the Community Services Board has received new State Aide funding from the NYS Office of Mental Health for the purpose of funding additional mental health supported housing services, and such funding has been directed to Lakeview Mental Health Services, Inc., who is one of the Wayne County Department of Mental Hygiene Local Governmental Units community providers; now, therefore, be it

RESOLVED, the Mental Health Department and the Chairman of the Wayne County Board of Supervisors, pending County Attorney approval as to form and content, is authorized to develop and sign a contract agreement which commences for the period 3/1/08 to 12/31/08, between Wayne County Department of Mental Health and with Lakeview Mental Health Services, Inc., for the purposes of providing supported housing services for 7 additional beds in Wayne County for the sum not to exceed \$57,780.00 in State Aide from the Office of Mental Health; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2008 budget for the Mental Health Department - Wayne Behavioral Health Network as follows:

Revenues:

A43220-43614 Lakeview Mental Health from \$0 to \$57,780.00

Contractual Expenses:

A43224-54614 Lakeview Mental Health from \$0 to \$57,780.00

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

RESOLUTION NO. 258-08: AUTHORIZATION FOR WAYNE BEHAVIORAL HEALTH NETWORK TO APPLY FOR NYS DEPARTMENT OF TRANSPORTATION GRANT

Mrs. Crane presented the following:

WHEREAS, the NYS Dept. of Transportation provides not-for-profit & public organizations assistance in the purchase of vehicles to meet the transportation needs of elderly individuals and individuals with disabilities through the FTA Section 5310 Grant Assistance Program; and

WHEREAS, WBHN is in need of replacing one of its current vehicles and WBHN is seeking funding from this grant opportunity to assist in the purchase of a Type I Bus -12 Passenger; and

WHEREAS, the grant program provides funding for 80% of the vehicle purchase cost, with the remaining 20% provided by the applicant organization as a local match; and

WHEREAS, given that the amount of the matching funds are substantially less than paying the full purchase cost of a similar type vehicle; and

WHEREAS, WBHN has sufficient funding available through its Federal Medicaid Salary

Sharing Funds account to cover the matching costs and therefore at the appropriate time will make a budget amendment by separate resolution at such time the funds are required to be deposited with NYS; now, therefore, be it

RESOLVED, that WBHN is hereby authorized to submit a grant application as described above and WBHN will make a budget amendment (through separate resolution at such time as needed - if needed) to cover the match costs at such time as required by NYS –not to exceed \$10,000.

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

RESOLUTION NO. 259-08: AUTHORIZATION TO EXECUTE CONTRACT AND APPLY FOR FUNDING FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE CHILD PASSENGER SAFETY PROGRAM FOR 10/01/08 – 9/31/09

Mrs. Crane presented the following:

WHEREAS, Wayne County Public Health applies for and receives funding for the Child Safety Program annually; and

WHEREAS, Wayne County Public Health wishes to apply again this year for funding for the permanent fitting station to inspect children's car seats, to coordinate major child safety car seat check events and to continue the low income safety seat distribution program; now, therefore, be it

RESOLVED, that Director of Wayne County Public Health is hereby authorized to apply for said grant; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute said contract on behalf of Wayne County Public Health, subject to the County Attorney's approval as to form and content for the grant year 10/01/08 – 9/31/09 in the amount of \$14,000.

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 260-08: DECLARATION OF CHARITY CARE FOR WAYNE COUNTY PUBLIC HEALTH

Mrs. Crane presented the following:

WHEREAS, the Wayne County Public Health Department is required to provide a percentage of Charity Care service to it's eligible patients; and

WHEREAS, the Public Health Dept. has determined that visits undeclared for 1/1/07 through 12/31/07 total \$15104.60, now, therefore, be it

RESOLVED, that the Board of Supervisors acknowledges the amount of \$15,104.60 as the 2007 Charity Care declaration.

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

RESOLUTION NO. 261-08: AUTHORIZATION TO SUBMIT A BUDGET AND WORKPLAN FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS AND EXECUTE CONTRACT

Mrs. Crane presented the following:

WHEREAS, Wayne County Public Health wishes to renew the Children With Special Health Care Needs program contract number C-021588 for the period October 1, 2008 to September 30, 2009 in the amount of \$21,169; and

WHEREAS, this amount includes an additional one-time only \$350 to support families of children with special health care needs and youth and young adults with special needs in program involvement, empowerment or leadership activities over the age spectrum of birth to 21 years; now, therefore be it

RESOLVED, that the Director of Public Health is hereby authorized to submit a budget and work plan, and that the Chairman of the Board of Supervisors is hereby authorized to execute the contract on behalf of the County of Wayne, subject to the County Attorney's

approval as to form and content for the period October 1, 2008 to September 30, 2009, upon approval of said budget and work plan by NYSDOH.

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

RESOLUTION NO. 262-08: AUTHORIZATION TO PAY HOME CARE ASSOCIATION OF NEW YORK, INC. DUES FOR WAYNE COUNTY PUBLIC HEALTH

Mrs. Crane presented the following:

WHEREAS, Wayne County Public Health wishes to renew its membership in the Home Care Association; and

WHEREAS, the calculated amount of dues owed for 2008 is \$1,050; and

WHEREAS, this amount is reimbursable under Article Six of the Public Health Law; now, therefore, be it

RESOLVED, that the County of Wayne shall renew its membership in Home Care Association of New York, Inc. for an amount not to exceed \$1,050 for 2008.

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

RESOLUTION NO. 263-08: AUTHORIZATION TO EXECUTE CONTRACT WITH LIFETIME CARE, INC. FOR MEDICAL SOCIAL WORKER FOR WAYNE COUNTY PUBLIC HEALTH

Mrs. Crane presented the following:

WHEREAS, the County Health Department is required to provide Medical Social Worker (MSW) services per our Operating Certificate and Lifetime Care is able to provide a licensed professional, able to provide such services, at the rate of \$80 per home visit; 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 with Lifetime Care, Inc. for Medical Social Worker for Wayne County Public Health, subject to the provider being in compliance with the County's insurance requirements and the County Attorney's approval as to form and content, for the period 5/1/08 – 12/31/09 at a proposed cost not to exceed \$6,100, with the reimbursable amount of \$3,560.

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

RESOLUTION NO. 264-08: AUTHORIZATION TO AMEND RES. NO. 239-07: PREFERRED CARE'S HOME CARE AGREEMENT

Mrs. Crane presented the following:

WHEREAS, Wayne County Public Health currently has a Facility Service Agreement with Rochester Area Health Maintenance Organization, Inc. (Preferred Care) to provide home care services to its membership; and, WHEREAS, Preferred Care has provided this department with Exhibit B.5 which includes adjusted rates based on CPI-U as of January 1, 2008, which was 4.1%; and

WHEREAS, this rate increase is based on overall home care utilization not exceeding 5% of the baseline year and clinical updates not below 95% as outlined in the contract; now, therefore, be it

RESOLVED that the Chairman of the Board of Supervisors is hereby authorized to execute an amended agreement on behalf of Wayne County Public Health Services subject to the county attorney's approval as to form and content effective January 1, 2008.

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

RESOLUTION NO. 265-08: AUTHORIZATION TO EXECUTE CONTRACT RENEWAL WITH EASTMAN DENTAL CENTER FOR SMILEMOBILE FOR PUBLIC HEALTH

Mrs. Crane presented the following:

WHEREAS, Wayne County Public Health has had a contract with Eastman Dental Center to provide dental services in the form of the "Smile Mobile" to eligible children of Wayne County; and

WHEREAS, the Smile Mobile will be stationed behind the Health Services Building and Public Health Department will assist initially in scheduling appointments; 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 the University of Rochester Eastman Dental Center for the period 6/1/08 to 9/31/08.

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

RESOLUTION NO. 266-08: AUTHORIZATION TO EXECUTE CONTRACT FOR FURNISHING NURSING HOME CARE TO BENEFICIARIES OF THE VETERANS SERVICE ADMINISTRATION

Mrs. Crane presented the following:

WHEREAS, the contract between the County of Wayne and the Veterans Service Administration for furnishing nursing home care services to beneficiaries of the Veterans Service Administration expires on May 31, 2008; and

WHEREAS, the Wayne County Nursing Home is desirous of renewing said contract for the period of June 1, 2008 - May 31, 2009; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract/award for furnishing Nursing Home Services to beneficiaries of the Veterans Administration at a per diem fee to be negotiated by the Administrator.

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

RESOLUTION NO. 267-08: AUTHORIZATION TO EXECUTE APPLICATION FOR NEW YORK STATE LONG TERM CARE QUALITY IMPROVEMENT INITIATIVE GRANT (LTCQII) FOR THE NURSING HOME

Mrs. Crane presented the following:

WHEREAS, the Wayne County Nursing Home has been advised by the New York State Department of Health that a grant award is available under the New York State Nursing Home Quality Improvement Initiative for Long Term Care Program; and

WHEREAS, if the New York State Department of Health approves the application, the contract period shall be from July 1, 2008 up to January 1, 2010 in the amount not to exceed \$45,000; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to approve the application and contract subject to the County Attorney's approval as to form and content.

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Fabino. Upon roll call, adopted.

RESOLUTION NO. 268-08: AUTHORIZATION TO FILL VACANT POSITIONS FOR VARIOUS COUNTY DEPARTMENTS

Mrs. Collier presented the following:

RESOLVED, that the following Department Heads are hereby authorized to fill the vacant positions listed for their respective departments:

Commissioner of Social Services

1 - Senior Typist (due to vacancy)

1 - Account Clerk (due to vacancy)

Public Defender

1 - Sentencing Specialist (due to vacancy)

1 - Community Resource Investigator (due to vacancy)
(Positions will be eliminated if or when grant funding is not received to cover their entire cost)

Sheriff

1 - Correction Officer position (due to transfer)

E-911 Coordinator

1 - ALS Technician (due to vacancy)

Public Health Director

1 - FT PHN/RPN position (due to vacancy)

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, all Supervisors voted Aye. Absent – Supervisors LeRoy and Park. The Chairman declared the Resolution adopted.

RESOLUTION NO. 269-08: AUTHORIZATION TO ADVERTISE, RE-TITLE POSITION, SET SALARY AND FILL THE POSITION OF DIRECTOR OF HUMAN RESOURCES

Mrs. Collier presented the following:

WHEREAS, the County Administrator and key county staff have reviewed Wayne County's needs relative to Human Resources administration and the present functions of the Personnel Department and Personnel Officer; and

WHEREAS, it has been determined that the functions of the department need to continue to provide Civil Service oversight and administration; and

WHEREAS, it has also been determined that the functions of the department need to be enhanced by providing Human Resources related organizational planning, policy review and implementation, labor relations, training, and other support functions; and

WHEREAS, the position of Personnel Officer is currently filled on an "Interim" basis and will become vacant in December 2008; and

WHEREAS, in order to enhance the Human Resources aspects of the position the Personnel Officer position should be changed to Human Resources Director; and

WHEREAS, the position duties of the Human Resources Director have been established in order to facilitate the enhanced services described herein; no therefore be it

RESOLVED, that the Personnel Department is hereby authorized to re-title the current position of Personnel Officer to Director of Human Resources; and be it further

RESOLVED, that the position description as presented has been adopted by the Wayne County Board of Supervisors for the Human Resources Director; and be it further

RESOLVED, that Wayne County Board of Supervisors hereby authorizes the Personnel Department to advertise for said position; and be it further

RESOLVED, that the Wayne County Board of Supervisors is hereby authorized to interview and fill the position of Director of Human Resources at an annual salary \$70,000 per year.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Fabino.

Mr. Hammond moved, seconded by Mr. Fabino, that the last "RESOLVED" clause in Resolution No. 269-08 be amended to read as follows:

"RESOLVED, that the Wayne County Board of Supervisors is hereby authorized to interview and fill the position of Director of Human Resources at an annual salary \$60,000 to \$80,000 per year."

Upon roll call to amend the resolution, all Supervisors voted Aye. Absent – Supervisors LeRoy and Park. The Chairman declared the motion carried.

Mr. Lauderdale moved the resolution, seconded by Mr. Kelsch. Upon roll call on the

amended resolution, all Supervisors voted Aye. Absent – Supervisors LeRoy and Park. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 270-08: AUTHORIZATION TO AMEND COUNTY POLICY -
AUTHORIZATION FOR COUNTY ADMINISTRATOR TO APPROVE PURCHASES OF
BUDGETED EQUIPMENT**

(Supersedes Resolution Nos. 321-95; 561-93; 562-93; 48-94; 563-93; 698-81)

Mrs. Collier presented the following:

WHEREAS, the Government Operations and Finance Committees of the Board of Supervisors have reviewed all the County purchasing policies and procedures adopted by the Board of Supervisors over the years and recommend certain changes and the consolidation of all policies and procedures into one statement; now, therefore, be it

RESOLVED, that the following Purchasing Policies and Procedures are hereby adopted:

PURCHASING POLICIES AND PROCEDURES

I. PURCHASING SYSTEM MISSION STATEMENT

The Wayne County Purchasing System dedicates itself to procuring goods and services for the various county departments in a timely manner assuring the prudent and economical use of public monies in the best interest of the taxpayers of Wayne County. It will facilitate the acquisition of goods and services at the lowest possible cost and guard against favoritism, extravagance and fraud. The intent is to further these goals by utilizing internal policies and procedures as adopted by the Board of Supervisors.

II. GENERAL POLICY AND PROCEDURE GUIDELINES:

1. The administration of the County Purchasing System shall be the responsibility of the County Purchasing Agent.
2. All purchase order procedures developed by the Purchasing Agent and approved by the Finance Committee shall comply with all applicable laws of the State of New York.
3. In accordance with General Municipal Law Section 103, competitive bids shall be sought for "purchase contracts" of \$10,000 or more and "public works contracts" of \$20,000 or more.
 - a. "Purchase contracts" applies to procurement of commodities.
 - b. "Contracts for public works" encompass contracts for services, labor or construction.
 - c. When a contract involves acquisition of both goods and services such as a commodity which requires installation, the contract should be viewed as a purchase for the purpose of determining the competitive bidding monetary threshold if the services are minor, incidental, or customarily provided by the vendor as a component of the purchase.
 - d. Conversely, if the services are extensive, substantial or involve specialized skills so that the acquisition of the commodity is incidental to the work, the contract should be treated as a contract for public works.
 - e. Competitive bidding is required when it is known or can be reasonably anticipated that the aggregate amount to be spent on purchases of an item will exceed the dollar threshold over the course of a fiscal year.
4. All estimated purchase contracts of:
 - a. Less than \$10,000 but greater than \$2,000 require a written request for proposal (RFP) and written quotes from three (3) vendors.
 - b. \$2,000 or less but greater than \$250 require an oral request for the goods and quotes from three (3) vendors.
 - c. \$250 or less left to the discretion of the purchaser.
5. All estimated public works contracts of:

- a. Less than \$20,000 but greater than \$10,000 require a written request for proposal (RFP) and proposals from three (3) contractors.
 - b. \$10,000 or less but greater than \$3,000 require a written RFP and proposals from three (3) contractors, if possible.
 - c. \$3,000 or less are left to the discretion of the purchaser.
6. Any written RFP shall describe the desired goods, quantity and the particulars of delivery, or the desired public works. The Purchaser shall compile a list of all vendors from whom quotes have been requested and the quotes offered. The completed list shall be submitted to the Purchasing Agent.
7. No County department, administrative unit, or agency shall advertise for bids for any construction, reconstruction, or renovation project until all contract documents have been reviewed and approved as to form by the County Attorney. A Statement of General Conditions with all specifications will be included with each bid package. These general conditions will be incorporated in all contracts awarded for the purchase of materials, equipment and supplies.
8. All information gathered in complying with the procedures of this guideline shall be preserved by the Purchasing Agent and filed with the documentation (vouchers) supporting the subsequent purchase or public works contract.
9. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchasing Agent has verified that a written justification providing reasons why it is in the best interest of the County and its taxpayers to make an award to other than the low offeror has been submitted by the Purchaser. If an offeror is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement (voucher).
10. A good faith effort shall be made to obtain the required number of proposals or quotations. If a purchaser is unable to obtain the required number of proposals or quotations, the Purchasing Agent shall document the attempts made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotations be a bar to the procurement.
11. Except when directed by the Board of Supervisors, no solicitation or written proposals or quotations shall be required under the following circumstances:
 - a. Emergencies (An emergency may be deemed to exist when there is an immediate and existing condition which is creating an imminent danger to public property or to the life, health, safety, or property of the residents of the County, and which makes further delay to comply with the prescribed purchasing procedures unwarranted. The existence of an emergency shall be confirmed through consultation with the Standing Committee Chairperson and Chairman of the Board of Supervisors);
 - b. Sole source situations;
 - c. Goods purchased under State contract pursuant to General Municipal Law, Section 104;
 - d. Goods purchased from the blind and/or severely handicapped;
 - e. Goods purchased from correctional facilities;
 - f. Goods purchased from another governmental agency;
 - g. Goods purchased at auction;
 - h. Goods purchased for \$250 or less;
 - i. Public works contracts for less than \$1,000;
 - j. Goods purchased under a public cooperative bid in which the County is a participant.
12. Every purchase of equipment paid from County funds (except purchases by the County Highway Department) shall be subject to the following procedure:
 - a. If the equipment purchase is subject to the bidding requirements of Section 103 of the General Municipal Law, the advertisement for bids must have prior approval by resolution of the Board of Supervisors.

- b. No equipment, except items listed on the Equipment Addendum attached to the County Budget, may be purchased without review by the Standing Committee and prior approval by resolution of the Board of Supervisors.
 - c. Items listed on the Equipment Addendum attached to the current duly adopted County Budget may be purchased with review of the Budget Officer and approval of the County Administrator.
- 13. Every purchase of equipment and /or machinery made by the County Highway Department shall be subject to the following procedure:
 - a. The Superintendent of Highways may purchase any item of machinery or equipment of the value of less than \$5,000 without prior approval, within the limits of funds appropriated for such purposes.
 - b. Any purchase of an item of machinery or equipment of a value of \$5000 but less than \$10,000 must have the prior approval of the Highway Committee of the Board of Supervisors.
 - c. Any purchase of an item of machinery or equipment of a value of \$10,000 or more shall be made subject to the bidding requirements of Section 103 of the General Municipal Law and Section 408-a of the County Law, unless the purchase is made under State Contract pursuant to Section 104 of the General Municipal Law. The advertisement for bids, or the purchase under State contract, must have prior authorization by resolution of the Board of Supervisors.
- 14. The following policy shall apply for professional services and consultants:
 - a. \$1 - \$5,000: Selection of the contractor will be at the discretion of the Department Head, and with the approval of the Standing Committee and the Board of Supervisors.
 - b. \$5,001 - \$15,000: Prices will be obtained by formal written quotes from at least three (3) sources, if possible, and the award will be made at the recommendation of the Department Head and the Standing Committee and with the approval of the Board of Supervisors.
 - c. \$15,001 or more: Prices will be obtained by RFP, with the award of contract being made at the recommendation of the Department Head and the Standing Committee with the approval of the Board of Supervisors. Awards to other than the lowest proposer must be properly documented with the rationale/reason for rejection of the lowest price.
- 15. The Purchasing Agent will maintain adequate documentation of all action taken in connection with each method of procurement as outlined herein. Such documentation shall include but not be limited to any and all Board resolutions, memoranda, written quotes, telephone logs (for verbal quotes), requests for proposals, proposals, contracts and any other appropriate form of documentation.
- 16. Opportunity will be provided to all responsible vendors to submit proposals, quotes or bids. To this end the Purchasing Agent will develop and maintain lists of potential vendors for various types of materials, equipment and supplies. Such lists will be used in the development of a mailing list for distribution of specifications and invitations to bid. Any vendor may be included on the list upon individual request or referral by a department head.
- 17. Any decision to standardize a particular type or kind of equipment, materials or supplies shall be made in accordance with Section 103 of the General Municipal Law.
- 18. No county official or employee will have a financial interest in contracts entered into by the County as defined in Section 800 of the General Municipal Law. This also precludes acceptance of gratuities, financial or otherwise, by the above persons, from any supplier of materials or services to the County.
- 19. The County of Wayne will not be deemed responsible for any commitment to purchase made without the written authorization of the Purchasing Agent.
- 20. The policies and procedures set forth in this resolution shall be reviewed annually by the

Board of Supervisors.

21. The unintentional failure to fully comply with the provisions of General Municipal Law Section 104-b shall not be grounds to void any action taken or give rise to cause of action against the County of Wayne or any officer or employee thereof.
22. Any and all procedures not specifically covered in this policy will be adhered to as covered in General Municipal Law, Section 104-b.

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

RESOLUTION NO. 271-08: AUTHORIZATION TO AMEND COUNTY POLICY - AUTHORIZING COUNTY ADMINISTRATOR TO APPROVE THE FILLING AND REFILLING OF CERTAIN COUNTY POSITIONS AND RESTATING THE PROCESS TO CREATE NEW POSITIONS OR ALTER EXISTING POSITIONS (Supersedes: Res. No. 551-90;621-05; 76-06; 272-07)

Mrs. Collier presented the following:

WHEREAS, the County Budget contains funds for specific full time, part time and seasonal positions; and

WHEREAS, the budget contains these positions to enable the various departments to fulfill service delivery missions to the public; and

WHEREAS, the County Administrator oversees the day-to-day operations of county government within approved budgeted resources; now, therefore, be it

RESOLVED, that the County Administrator, after review and consultation with appropriate staff, is authorized to approve or disapprove the filling or refilling of full time, part time, or seasonal positions specifically contained in the adopted county budget within the resources in the adopted county budget; and be it further

RESOLVED, that the County Administrator may require departments to provide sufficient documentation to justify filling or refilling positions; and be it further

RESOLVED, that the creation of a new position or title and any change to an adopted position title or salary, after review and approval by the Personnel Officer, Budget Officer and County Administrator, must be specifically approved by the Standing Committee for the respective department and the Board of Supervisors by a 2/3 vote.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, adopted.

RESOLUTION NO. 272-08: AUTHORIZATION TO AMEND COUNTY POLICY - DELEGATING AUTHORITY TO COUNTY ADMINISTRATOR TO AUTHORIZE ATTENDANCE AT CONFERENCES, CONVENTIONS, SCHOOLS, SEMINARS AND WORKSHOPS HELD WITHIN THE STATE OF NEW YORK

(Supersedes Resolution Nos. 233-95; 357-82; 154-78; 152-89; 12-91)

Mrs. Collier presented the following:

RESOLVED, pursuant to Article 5 Section 77-b(2) of the General Municipal Law and Section 450(3) of the County Law the Board of Supervisors hereby delegates to the County Administrator the power to authorize County officers and employees to attend conferences, conventions, schools, seminars and workshops conducted for the betterment of county government, subject to the following provisions:

- 1.) the request is within the limits of the departmental appropriations for such purposes per the review of the County Budget Officer; and
- 2.) the request is for travel within the State of New York

and be it further

RESOLVED, that all requests for travel that are in excess of the departmental appropriations for such purposes shall require the approval of the Board of Supervisors; and be it further

RESOLVED, that all requests for out-of-state travel shall be reviewed by the County Administrator and referred to the department's Standing Committee and the Chairman of the

Board of Supervisors; and be it further

RESOLVED, that the Board of Supervisors hereby delegates to the department's Standing Committee, and the Chairman of the Board of Supervisors the power to jointly authorize County officers and employees to attend conferences, conventions, schools, seminars, and workshops conducted outside the state of New York within the limits of the departmental appropriations for such purposes per the review of the County Budget Officer and after the review and recommendation of the County Administrator; and be it further

RESOLVED, that all actual and necessary expenses incurred for registration fees, travel, meals, and lodging in connection with such attendance shall be a County charge, provided, however, that said charges are supported by original receipts (except mileage) and do not exceed the approved amounts; and be it further

RESOLVED, that this resolution supersedes Resolutions No. 233-95, No. 357-82, No. 154-78, No. 152-89 and No. 12-91.

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

RESOLUTION NO. 273-08: AUTHORIZATION TO EXECUTE A MAINTENANCE CONTRACT WITH BIEL'S INFORMATION TECHNOLOGY SYSTEMS FOR HISTORIAN'S OFFICE

Mrs. Collier presented the following:

WHEREAS, the service agreement with Biel's for the Historian's Office microfilm reader/printer, Canon MS400-FP400, expires on May 12, 2008; now, therefore, be it

RESOLVED, that the Chairman of the WC Board of Supervisors is hereby authorized and directed to execute a maintenance agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Biel's for the contract period 5/13/2008 – 5/12/2009 for a cost of \$1,170.00.

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

RESOLUTION NO. 274-08: AUTHORIZATION FOR COUNTY TREASURER TO TRANSFER FUNDS FOR PAYMENT OF NEGOTIATORS

Mrs. Collier presented the following:

WHEREAS, County Negotiators are paid from Account No. A14204.54486 (Union Contracts) in the County Attorney's budget; and

WHEREAS, there are presently two (2) collective bargaining agreements being negotiated; and

WHEREAS, there are insufficient funds in said account at the present time; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized to amend the 2008 budget as follows:

Account No. A1420 – County Attorney

\$40,000 to .54486 (Union Contracts)

A1990 Contingent Account \$40,000 from .54000 (Contractor Account)

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

RESOLUTION NO. 275-08: AUTHORIZATION TO PURCHASE TYPEWRITERS AND TRANSFER FUNDS FOR PERSONNEL DEPARTMENT

Mrs. Collier presented the following:

WHEREAS, the Civil Service-Personnel Office still uses typewriters on a daily basis to update all County and municipal civil service roster cards, of which there are over 3500 currently; and

WHEREAS, the Personnel Office has one working typewriter and are in need of at least one more working typewriter (preferably two); and

WHEREAS, the Personnel Officer has received 3 quotes listed below; now therefore be it

RESOLVED, that the Personnel Office be authorized to purchase two (2) Brother Business Class Typewriters EM530 from Staples off the State Contract; and further

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2008 County Budget as follows:

A1430-PERSONNEL DEPARTMENT

\$724.00 from .51063 Personnel Officer

\$724.00 to .52200 Office Equipment

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

RESOLUTION NO. 276-08: AUTHORIZATION TO FILL VACANT CONFIDENTIAL ACCOUNT CLERK POSITION IN THE BOARD OF SUPERVISORS OFFICE

Mrs. Collier presented the following:

WHEREAS, the account clerk position within the Board of Supervisors office will be vacant, due to resignation on April 18, 2008; and

WHEREAS, this position has provided adequate office coverage and performed the audit of claims required in the monthly payment process; now, therefore, be it

RESOLVED, that the County Administrator hereby requests that the Personnel Department canvass for the refilling of the Confidential Account Clerk position; and be it further

RESOLVED, that the County Administrator is hereby authorized to fill the Confidential Account Clerk position, within the guidelines provided by civil service, at a hourly rate of \$13.036 per hour.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, all Supervisors voted Aye. Absent – Supervisors LeRoy and Park. The Chairman declared the Resolution adopted.

The Clerk read the scheduled Notice of Public Hearing at 9:30 a.m. as follows:

**COUNTY OF WAYNE
NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW**

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on Tuesday, April 15, 2008, at 9:30 a.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

COUNTY OF WAYNE – STATE OF NEW YORK

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 Treasurer shall be \$66,592 effective January 1, 2008.

SECTION 2. The annual salary of the County Clerk shall be \$68,232 effective January 1, 2008.

SECTION 3. The annual salary of the County Coroner shall be \$36,197 effective January 1, 2008.

SECTION 4. The annual salary of the Commissioner of Social Services shall be \$81,070 effective January 1, 2008.

SECTION 5. The annual salary of the County Administrator shall be \$110,000 effective January 1, 2008.

SECTION 6. The annual salary of the County Attorney shall be \$87,520 effective January 1, 2008.

SECTION 7. The annual salary of the Public Defender shall be \$82,258 effective

January 1, 2008.

SECTION 8. The annual salary of the Fire Coordinator shall be \$26,386 effective January 1, 2008.

SECTION 9. The annual salary of the Director of Real Property Tax Service shall be \$58,000 effective January 1, 2008.

SECTION 10. The annual salary of the Personnel Officer shall be \$66,607 effective January 1, 2008.

SECTION 11. The annual salary of the Superintendent of Highways shall be \$71,989 effective January 1, 2008.

SECTION 12. The annual salary of the Sheriff shall be \$83,988 effective January 1, 2008.

SECTION 13. An incumbent holding a position subject to the provisions of Sections 1 through 12 of this local law at the time during the period from the effective date of the salary increase for such position until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefore, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.

SECTION 14. 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 15. 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 16. 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, 2008.

Dated: March 21, 2008
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

After the Clerk read the Notice of Public Hearing, the Chairman opened the floor for public comment. After time was given for all interested people to be heard, Mr. Plant moved, seconded by Mr. Hammond, that the hearing be closed. Upon roll call, carried.

RESOLUTION NO. 277-08: CERTIFICATION OF A HOME RULE REQUEST TO AMEND THE TAX LAW IN RELATION TO IN RELATION TO IMPOSING HOTEL OR MOTEL TAXES IN WAYNE COUNTY (Defeated)

Mr. Spickerman presented the following:

RESOLVED, pursuant to Article IX of the constitution, the County of Wayne hereby requests that the New York State Legislature enact Senate Bill (No. S.6978) (Said bill is identified in the Assembly as Assembly Bill No. A.10104) entitled "AN ACT to amend the tax law, in relation to imposing hotel or motel taxes in Wayne County"; and be it further

RESOLVED, it is hereby declared that a necessity exists for the enactment of such legislation and that the fact establishing such necessity is as follows: The County does not have power to enact such legislation by local law; and be it further

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized to certify a Home Rule request to the Legislature for the enactment of said Legislation.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, all Supervisors voted Nay, except Supervisors Spickerman, Groat, Crane, Bender, Lyon, Collier,

Plant and Hoffman who voted Aye. Absent – Supervisors LeRoy and Park. The Chairman declared the Resolution defeated.

RESOLUTION NO. 278-08: ENDORSE WILLIAMSON-SODUS AIRPORT TRANSPORTATION BOND ACT PROJECT

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne has received a request from the Williamson Flying Club, Inc., for the Williamson Sodus Airport, concerning the applicant's request for State grant funds under the NYS Transportation Bond Act for the following projects:

Under the General Aviation Airport Security Program

- Security Lighting, Back-up Generator, Cameras

Under the Airport Improvement and Revitalization Grant Program (AIR 99)

- Pavement Sealing and Markings
- Terminal Building Renovations and Addition
- Jet A Facility

Under the Business Airport Development Program

- Construction of Transient Aircraft Hangar

and

WHEREAS, the NYS Department of Transportation, under Section 14-1 of the State Transportation Law, requires that project applications made by privately owned airports be accompanied by a resolution from the governing body of the County in which the airport is located; now, therefore, be it

RESOLVED, that the County of Wayne endorses the projects identified above at the Williamson-Sodus Airport for the purpose of making the projects eligible for State funding; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary documents in connection with the projects; and be it further

RESOLVED, that this resolution shall take effect immediately.

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

RESOLUTION NO. 279-08: AUTHORIZATION TO EXECUTE DOCUMENTATION FOR INDUSTRIAL SITE FUNDS FOR IMPROVEMENTS TO ACCESS AT MACEDON MARKETPLACE

Mr. Spickerman presented the following:

WHEREAS, the Board of Supervisors has established a program for aid for industrial site development within the County for the purposes of promoting the economic welfare and prosperity of County residents through increased employment and expansion of the tax base; and

WHEREAS, The Spectra Group, Inc. has proposed a multi-phased commercial development with future connections to both industrial and residential development; and

WHEREAS, costs to develop the 34,700 square feet of retail and office, adjacent parking and out lot 1 are anticipated to exceed \$20 million; and

WHEREAS, the proposed extension to Wilson Road will provide needed access to current and future phases; now, therefore, be it

RESOLVED, that the County shall provide funding from the Industrial Site Development Fund to assist with the construction of Wilson Road, totaling \$100,000, to be distributed at the time the Town takes dedication of the roadway; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute any agreements or documents necessary to implement the resolution on behalf of the County of Wayne, subject to the County Attorney's approval as to

form and content.

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

RESOLUTION NO. 280-08: MAKING A DETERMINATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT- 181.6 ACRES

Mr. Spickerman presented the following:

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQRA Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State, being 6 NYCRR Part 617, as amended (the "Regulations"), the Wayne County Board of Supervisors (the "Board") desires to determine whether the following action may have a "significant effect on the environment" (as said quoted term is defined in the SEQRA Act and the Regulations) and therefore require the preparation of an environmental impact statement: An action to make application to the New York State Commissioner of Economic Development for the redistribution of Empire Zone acreage for the Wayne County Empire Zone encompassing a total of approximately 181.6 acres in the Towns of Arcadia, Ontario, Galen and the Villages of Clyde and Newark (the "Project"); and

WHEREAS, to aid the Board in determining whether the Project may have a significant effect on the environment the County Planning Director has caused to be prepared a Short Environmental Assessment Form (the "SEAF"), a copy of which will be on file with the Clerk of the Board of Supervisors; and

WHEREAS, the County has examined the SEAF in order to make a determination as to the potential environmental significance of the Project; now, therefore, be it

RESOLVED, as follows:

1. Based upon examination of the SEAF, and based further upon the Board's knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the County has deemed appropriate, the Board makes the following findings with respect to the Project:
 - a. The Project consists of those components described in the first "Whereas" clause of this resolution; and
 - b. There are no known potentially significant impacts on the environment other than those noted in and addressed and/or mitigated by the County as set forth in the SEAF.
2. Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the Board makes the following findings and determinations with respect to the Project:
 - a. The Project constitutes an Unlisted Action (as defined in the Regulations); and
3. The Project will not result in any large and important impacts and, therefore, is one which will not have a significant effect on the environment, and the Board will not require an environmental impact statement with respect to the Project; and
4. This determination constitutes a negative declaration for the purposes of the SEQRA Act.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 281-08: AUTHORIZATION TO ADOPT LOCAL LAW TO AMEND LOCAL LAW NO. 3-2002 IN RELATION TO THE BOUNDARIES OF SAID EMPIRE ZONE

Mr. Spickerman presented the following:

WHEREAS, a local law amending Local Law No. 3-2002 authorizing Wayne County Industrial Development Agency on behalf of the County of Wayne to make application for designation of certain areas within the County of Wayne as an Empire Zone was presented to

the Board of Supervisors on January 22, 2008; and

WHEREAS, a public hearing was held on February 21st, 2008, at 10 am by the Board of Supervisors to hear public opinion on the proposed local law in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it; 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. 2-2008**

A local law amending Law No. 3-2002 as amended by Local Law No. 7-2002, Local Law No. 2-2003, Local Law No. 4-2003, Local Law No. 1-2004, Local Law 2-2004, Local Law No. 3-2004, Local Law No. 5-2004, Local Law No. 5-2005; Local Law No. 6-2005; and Local Law No. 1-2006 entitled "A local law authorizing the Wayne County Industrial Development Agency on behalf of the County of Wayne, to make application for designation of certain areas within the County of Wayne as an Empire Zone".

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

SECTION 1.

Section 2. of Law No. 3-2002 as amended by Local Law No. 7-2002, Local Law No. 2-2003, Local Law No. 4-2003, Local Law No. 1-2004, Local Law 2-2004, Local Law No. 3-2004, Local Law No. 5-2004 Local Law No. 5-2005; Local Law No. 6-2005; and Local Law No. 1-2006 entitled "A local law authorizing the Wayne County Industrial Development Agency on behalf of the County of Wayne, to make application for designation of certain areas within the County of Wayne as an Empire Zone" is hereby amended to read as follows:

"Section 2.

The boundaries of said certain areas to be included and amended in said Empire Zone shall be as set forth in attached maps/legal descriptions and made a part and amended hereof."

SECTION 2.

This local law shall take effect immediately upon the date it is filed in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

SECTION 3.

The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to number the local law in conformance with the filing requirements of the Secretary of State and to file the local law with the Secretary of State in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

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

RESOLUTION NO. 282-08: AUTHORIZE PLANNING DIRECTOR TO ISSUE RFP FOR ARCHITECTURAL SERVICES IN CONNECTION WITH THE HOTCHKISS BUILDING RESTORATION PROJECT (No Action Taken)

Mr. Spickerman presented the following:

WHEREAS, Wayne County has received an award from Congressman Walsh through the Save America's Treasure's Program in the amount of \$197,221, an award from the federal SAFETEA-LU program in the amount of \$413,000, an award from the NYS Environmental Protection Fund in the amount of \$75,000 and an award from the NYS Erie Canal Greenways Program in the amount of \$224,787 for the restoration of the historic Hotchkiss Building; and

WHEREAS, the funding agencies require the services of an architect to insure that the

restoration is completed in accordance with state and federal historic standards; now, therefore, be it

RESOLVED, that the Director of Planning is authorized and directed to prepare and distribute a Request for Proposals for architectural services, subject to approval as to form and content by the County Attorney, in connection with the above referenced project; and be it further

RESOLVED, that the staff of the Planning Department shall review proposals, check references, and interview potential candidates; and be it further

RESOLVED, that subsequent to the review and interview process, the Planning Director shall present a recommendation to the Board of Supervisors for approval.

Mr. Spickerman presented the resolution; there being no second to this motion, no action could be taken by the Board.

RESOLUTION NO. 283-08: AUTHORIZATION TO EXECUTE THE HOTCHKISS BUILDING PRESERVATION EASEMENT (No Action taken)

Mr. Spickerman presented the following:

WHEREAS, Wayne County received a grant from the National Park Service's Save America's Treasures Program in the amount of \$197,221 to be used for restoration of the Hotchkiss Building; and

WHEREAS, Section 102(a)(5) of the National Historic Preservation Act requires grantees to assume the total cost of continued maintenance, repair, and administration of the grant assisted property in a manner satisfactory to the Secretary of the Interior and accordingly, the grantee must grant a preservation easement or covenant to the NY State Historic Preservation Officer or to a nonprofit preservation organization acceptable to the National Park Service; and

WHEREAS, the term of the easement or covenant must run for at least 50 years from the end date of the contract with the National Park Service; and

WHEREAS, because additional grants from New York State have also been received to supplement the cost of the restoration of the Hotchkiss Building, it is appropriate to grant the required preservation easement to the NY State Historic Preservation Officer; now, therefore, be it

RESOLVED, that the Planning Department is authorized and directed to prepare a preservation easement together with the assistance of the County Attorney; and be it further

RESOLVED, that the Chairman of the Board is authorized to execute the preservation easement, subject to approval as to form and content by the County Attorney; and be it further

RESOLVED, that the county Attorney is authorized to file the preservation easement in the Office of the Wayne County Clerk.

Mr. Spickerman presented the resolution; there being no second to this motion, no action could be taken by the Board.

RESOLUTION NO. 284-08: AUTHORIZE PLANNING BOARD AND ZONING BOARD OF APPEALS TRAINING IN COOPERATION WITH SENECA COUNTY

Mr. Spickerman presented the following:

WHEREAS, New York State has adopted Chapter 662 of the Laws of 2006, which requires members, including alternates, of all planning boards and zoning board of appeals to obtain four hours of training each year effective January 1, 2007; and

WHEREAS, the above sections of state law provide that a planning board or zoning board of appeals member shall not be eligible for reappointment to such board if they have not completed the training required by law; and

WHEREAS, experts from the Local Government Division of the New York Department of State and the NYS Department of Environmental Conservation have agreed to provide training on Wednesday, April 23, 2008 at the Seneca Falls Community Center, 35 Water Street, Seneca Falls, N.Y., from 4 p.m. to 8:30 p.m.; and

WHEREAS, the New York Department of State encourages Counties to partner together in their planning board and zoning board of appeals training efforts; and

WHEREAS, the Seneca County Economic Development and Planning Department has agreed to continue the cooperative training effort begun last year with the Wayne County Planning Department when the inaugural training session was held in Lyons; and

WHEREAS, the Wayne County Planning Department and the Seneca County Economic Development and Planning Department have funds available to cover the training costs; now, therefore, be it

RESOLVED, that the Wayne County Planning Department be authorized to provide the local land use training session at a County cost not to exceed \$500.

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

RESOLUTION NO. 285-08: SETTING DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW AMENDING RIGHT TO FARM LEGISLATION

Mr. Spickerman presented the following:

**SET DATE OF PUBLIC HEARING
LOCAL LAW INTRO NO. 4/LOCAL LAW NO. ____ FOR THE YEAR 2008**

WHEREAS, Resolution No. 392-97 adopted Local Law No. 5-1997, establishing Right-to-Farm legislation for Wayne County; and

WHEREAS, both Agriculture and Markets Law 310 and the Wayne County Right-to-Farm Law require only pre-sale notification of residential property located within a certified Agricultural District; and

WHEREAS, agriculture and associated businesses are important to the economy of Wayne County and people relocating to the County should understand there are sights, sounds, and smells associated with farming operations that can extend well beyond certified Agricultural District boundaries; and

WHEREAS, it is in the best interest of the buyer, the seller, and the community to have full disclosure of these agricultural impacts during a real estate transaction; now, therefore, be it

RESOLVED, that pursuant to Section 20 of the Municipal Home Rule Law, the Board of Supervisors shall hold a public hearing on Tuesday, May 20, 2008 at 9:15 a.m. in the Supervisors' Chambers, Wayne County Courthouse, 26 Church Street, Lyons, New York, on the following proposed amendment to Section 3 of the local law:

COUNTY OF WAYNE - STATE OF NEW YORK

A local law amending Local Law No. 5-1997, in relation to Right-to-Farm Legislation for Wayne County.

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

SECTION 1.

Section 3 of Local Law No. 5-1997 is hereby amended to read as follows:

SECTION 3. DISCLOSURE NOTICE When any purchase and sale contract is presented for the sale, purchase, or exchange of residential real property located within the County of Wayne, the prospective grantor shall deliver to the prospective grantee a notice which states the following: "It is the policy of this state and Wayne County to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that farming activities occur within Wayne County. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors, smoke, insects, operation of machinery during any hour of

the day or evening, storage and disposal of plant and animal waste products, and the application of fertilizers, soil amendments, and pesticides by ground or aerial spraying or other method. Property owners and residents of Wayne County should be aware that farmers have the right to undertake generally accepted practices and one should expect such conditions as a normal and necessary aspect of living in an agricultural area.”
The failure to include such disclosure notice shall not affect the validity of such purchase and sale contract.”

SECTION 2.

This local law shall take effect on the date it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

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

RESOLUTION NO. 286-08: MAKING A DETERMINATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT – Town of Galen

Mr. Spickerman presented the following:

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQRA Act”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State, being 6 NYCRR Part 617, as amended (the “Regulations”), the Wayne County Board of Supervisors (the “Board”), as lead agency, desires to determine whether the following action may have a “significant effect on the environment” (as said quoted term is defined in the SEQRA Act and the Regulations) and therefore require the preparation of an environmental impact statement: An action to include the construction of a 100,000 square foot manufacturing building, associated on-site parking, loading docks and an on-site storm water management facility to be located in the Town of Galen (the “Project”); and

WHEREAS, to aid the Board in determining whether the Project may have a significant effect on the environment, the County Planning Director has caused to be prepared a Full Environmental Assessment Form (the “ Full EAF”), a copy of which is on file with the Clerk of the Board of Supervisors; and

WHEREAS, the County has examined the Full EAF in order to make a determination as to the potential environmental significance of the Project; now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby declare itself lead agency for the purposes of conducting the environmental review of the Project; and be it further

RESOLVED, as follows:

1. Based upon examination of the SEAF, and based further upon the Board’s knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the County has deemed appropriate, the Board makes the following findings with respect to the Project:
 - (a) the Project consists of those components described in the first “Whereas” clause of this resolution; and
 - (b) there are no known potentially significant impacts on the environment other than those noted in and addressed and/or mitigated by the County as set forth in the Full EAF.
2. Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the Board makes the following findings and determinations with respect to the Project:
 - (a) The Project constitutes a Type I Action (as defined in the Regulations); and
3. The Project will not result in any large and important impacts and, therefore, is one which will not have a significant effect on the environment, and the Board will not require an environmental impact statement with respect to the Project; and

4. This determination constitutes a negative declaration for the purposes of the SEQR Act.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 287-08: APPOINT PLANNING DIRECTOR TO DEC OPEN SPACE PLAN ADVISORY COMMITTEE

Mr. Spickerman presented the following:

WHEREAS, the NYS Department of Environmental Conservation ("DEC") updates its NYS Open Space Plan every two years; and

WHEREAS, DEC invites participating Counties to appoint a representative to an advisory committee that oversees the update of the Region 8 section of the NYS Open Space Plan; and

WHEREAS, the Planning Director has represented Wayne County on this committee during the 2002, 2004 and 2006 Open Space Plan updates; now, therefore, be it

RESOLVED, that the Planning Director is authorized to represent Wayne County on the NYS DEC Region 8 Open Space Plan Advisory Committee and that all costs associated with attendance at these committee meetings shall be a County expense.

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

RESOLUTION NO. 288-08: AUTHORIZATION TO ENTER AGREEMENT WITH BARTON & LOGUIDICE FOR THE CONSTRUCTION PHASE SERVICES FOR THE LEROY ISLAND BRIDGE PROJECT

Mr. Spickerman presented the following:

WHEREAS, this project provides for the preliminary highway and bridge design service, final highway and bridge design service and construction phase service for the replacement of the LeRoy Island Bridge over Sodus Bay; now, therefore, be it

RESOLVED, that in accordance with required consultant selection procedures, including applicable requirements of New York State Department of Transportation and the Federal Highway Administration, Wayne County has selected Barton & Loguidice to perform such services in accordance with the requirements of this agreement; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of Wayne County, subject to the County Attorney's approval, with Barton & Loguidice, for the LeRoy Island Bridge over Sodus Bay at a cost not to exceed \$152,000; and be it further

RESOLVED, 80% Federal Marchiselli Funds will utilized with 15% State Funds and 5% Local shares (CHIPS) funds for the design and engineering phase; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2008 County Budget as follows:

D5112-ROAD CONSTRUCTION:

Increase .52955 LeRoy Island Bridge over Sodus Bay Project by \$152,000

D99990 – OTHER:

Increase .43511 Marchiselli Funds – State by \$22,800

Increase .44511 Marchiselli Funds – Federal by \$121,600

Increase .43501 Consolidated Highway Aid by \$7,600

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Lyon. Upon roll call, adopted.

RESOLUTION NO. 289-08: AUTHORIZATION TO ACCEPT BIDS FOR ASPHALT PAVING RENTAL WITH OPERATOR

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Highway Department, at times, needs the use of a hot mix asphalt paver for repairs and projects; and

WHEREAS, this paver will be used on a daily/hourly rate on an as needed basis; and
WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for asphalt paving rental with operator, and the bids were open on April 7, 2008 at 2:00 p.m.; now, therefore, be it

RESOLVED, that upon the recommendation of the Superintendent of Highways, the bids listed in the attached Bid Summary Booklet dated April 2008, a copy of which has been filed with the Clerk of the Board of Supervisors, are hereby accepted; and be it further

RESOLVED that if low bidder can not perform then it will be required to hire the next lowest bidder listed; and be it further

RESOLVED, that any municipal highway department in Wayne County may also rent the equipment and operator directly from the vendors pursuant to such bids, provided that the municipality shall accept sole responsibility for any payments due the vendor and for audit and inspection of the materials; and be it further

RESOLVED, that any bid not listed in the Bid Summary Booklet is hereby rejected.

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

RESOLUTION NO. 290-08: AUTHORIZATION TO ACCEPT LOW QUOTE FOR COLD MILLING FROM MIDLAND ASPHALT MATERIALS INC. FOR THE WALWORTH ROAD PROJECT

Mr. Spickerman presented the following:

WHEREAS, cold milling is a specialized service and milling is required to remove the existing pavement and provide adequate roadway cross slope prior to final pavement courses for the Walworth Road Project (D51122.52694); and

WHEREAS, the Superintendent of Highways has received the following quotes for cold milling from the following:

- Midland Asphalt Materials Inc. \$3,600/day - \$275/hr.
- Village Construction Inc. \$3,600/day - \$459/hr.
- Suit-Kote Corporation \$4,720/day - \$590/hr.

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, Midland Asphalt Materials for the daily rental rate of \$3,600/day and \$275/hr. It is expected to take two days.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, adopted.

RESOLUTION NO. 291-08: AUTHORIZE FEE SCHEDULES FOR CONSTRUCTION AND ENGINEERING SERVICES FOR THE HIGHWAY DEPARTMENT

Mr. Spickerman presented the following:

WHEREAS, while the County Highway forces typically complete construction projects on county roads or properties, the county can also assist the county municipalities in completing some construction activities on their roadways. A reasonable fee schedule has been developed for the rental of county owned equipment. The rates in the table below include the combined hourly equipment and operator cost:

Grader	\$51.50/hr
Roller	\$34.50/hr
Excavator	\$66.00/hr
Front End Loader	\$45.50/hr
Dozer	\$54.50/hr
Truck (6 Wheel)	\$42.00/hr
Truck (10 Wheel)	\$44.00/hr

and

WHEREAS, the County Highway Engineering Department can also offer the municipalities a variety of services including field surveying, mapping, GIS data collection, roadway design,

culvert design, permitting and other design services; and

WHEREAS, in many cases, the Engineering Department can be a very cost efficient alternative to contracting with a consulting engineering firm. The following rates will be charged:

Field Survey Crew	\$50/Hour
Jr. Engineer/CADD Technician	\$32/Hour
Licensed Engineer	\$44/Hour

now, therefore, be it

RESOLVED, that the Wayne County Highway Superintendent is hereby authorized to charge any municipality that uses the services.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Lyon. Upon roll call, adopted.

RESOLUTION NO. 292-08: ACCEPTING BIDS FOR HIGHWAY CONSTRUCTION AND MAINTENANCE MATERIALS

Mr. Spickerman presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for various highway construction and maintenance materials for the fiscal year 2008; now, therefore, be it

RESOLVED, that upon the recommendation of the Superintendent of Highways, the bids listed in the attached Bid Summary Booklet dated April 2008, a copy of which has been filed with the Clerk of the Board of Supervisors, are hereby accepted; and be it further

RESOLVED, that any municipal highway department in Wayne County may purchase materials directly from the vendors, pursuant to such bids, provided that the municipality shall accept sole responsibility for any payments due the vendor and for audit and inspection of the materials; and be it further

RESOLVED, that any bid not listed in the Bid Summary Booklet is hereby rejected.

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

RESOLUTION NO. 293-08: AUTHORIZATION TO EXECUTE A SUPPLEMENTAL AGREEMENT WITH BARTON & LOGUIDICE FOR THE ERIE STREET BRIDGE PROJECT

Mr. Spickerman presented the following:

WHEREAS, Barton & Loguidice has requested a revision to our construction phase contract amount for the Erie Street Bridge Project and the additional costs predominantly attributable to two (2) situations:

1. Delays experienced by the project due to utility relocations.
2. Increases in contract administration effort associated with this particular contractor (Wind-Sun Construction). These construction administrative tasks include shop drawings and submittal reviews, dispute issues with the contractor, and the enforcement of EEO requirements

and

WHEREAS, based on the contractor's current schedule, work in 2008 will commence in March and continue for another 20 weeks; and

WHEREAS, the Supplemental Agreement reflects the remaining work effort needed to complete the construction; administrative and inspection tasks for the project; and

WHEREAS, when applied to the expenditures incurred in 2007, an additional \$84,000 in construction phase cost is needed; and now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental contract on behalf of Wayne County, subject to the County Attorney's approval, with Barton & Loguidice for the Erie Street Road Bridge Project at a cost not to exceed \$84,000, and be it further

RESOLVED, 80% Federal Marchiselli Funds will utilized with 15% State Funds and 5% Local shares (CHIPS funds for the design and engineering phase; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2008 County

Budget as follows:

D5112-ROAD CONSTRUCTION:

Increase .52979 Erie Street Bridge Project by \$84,000

D99990 – OTHER:

Increase .43511 Marchiselli Funds – State by \$12,600

Increase .44511 Marchiselli Funds – Federal by \$67,200

Increase .43501 Consolidated Highway Aid by \$4,200

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

RESOLUTION NO. 294-08: AUTHORIZATION TO HIRE TEMPORARY PESTICIDE APPLICATOR FOR HIGHWAY DEPARTMENT

Mr. Spickerman presented the following:

WHEREAS, herbicides are applied to county roads in guide rail areas where mowing cannot reach; and

WHEREAS, Gregory Cleveland is a commercial pesticide applicator, and

WHEREAS, he is duly certified by the New York State Department of Environmental Conservation to spray county roads for Wayne County; now, therefore, be it

RESOLVED, that the Wayne County Highway Superintendent is hereby authorized to hire a temporary pesticide applicator for the Highway Department, pending civil service title, at a rate of \$32.00 per hour, not to exceed 240 hours; and be further

RESOLVED, this service is available to any Wayne County municipality on a time and material basis, at which time, the cost will be made available upon request.

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

RESOLUTION NO. 295-08: AUTHORIZATION TO ACCEPT LOW BID FOR (1) 2001 OR NEWER HYDRAULIC TRACK EXCAVATOR FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. Fabino presented the following:

WHEREAS, a similar machine was rented for use during 2007 and was utilized approximately 95% of the work hours on highway projects; and

WHEREAS, this was a budgeted item in 2008 Highway Budget; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for (1) 2001 or newer hydraulic track excavator for the County Highway Department, and the bids were open on Tuesday, March 25, 2008 at 10:00 a.m. and the following bids were received:

- Five Star Equipment \$17,500.00
- Tracey Road Equipment \$52,523.00

now, therefore, be it

RESOLVED, that the bid submitted by Five Star Equipment of Rochester, New York in the amount of

\$17,500.00 in accordance with the specifications, is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Five Star Equipment in accordance with the bid acceptance.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, adopted.

RESOLUTION NO. 296-08: DECLARE VEHICLES SURPLUS AND TRANSFER TO VARIOUS COUNTY DEPARTMENTS

Mr. Spickerman presented the following:

RESOLVED, that the following surplus Probation Department's (Resolution 187-08) vehicle

is hereby transferred to Central Garage:
1999 Ford Taurus VIN# GCGK24RXWZ159609
and be it further

RESOLVED, that the following vehicle, no longer of use to Central Garage, and is hereby declared surplus and shall be disposed of in accordance with the Surplus Vehicle Disposition Procedure Outlined in Resolution No. 375-91; and be it further

RESOLVED, that the following surplus Central Garage vehicle is hereby transferred to Buildings & Grounds:
1999 Dodge Van VIN# 2B4HB15X7XK561987.

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

RESOLUTION NO. 297-08: AUTHORIZATION TO ACCEPT LOW BID FOR COLD IN PLACE RECYCLING AND PAVING FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT'S WEST WALWORTH ROAD REHAB PROJECT

Mr. Spickerman presented the following:

WHEREAS, this is a special project bid that involves milling the existing pavement with a recycle train and placing the material in the same location in one pass; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for cold in place recycling and paving for the West Walworth Road Rehab Project (D51122.52695) for the County Highway Department, and the bids were opened on Tuesday, March 25, 2008 at 2:00 p.m. and the following bids were received:

	<u>Type 1</u>	<u>Type 2</u>
• Midland Asphalt	188,544	178,541
• Suit-Kote Corp.	0	224,821

now, therefore, be it

RESOLVED, that the bid submitted by Midland Asphalt of Tonawanda, New York, type to be determined by County Highway Dept. at a later date, in accordance with the specifications, is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Midland Asphalt in accordance with the bid acceptance.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 298-08: AUTHORIZATION TO ADVERTISE FOR BIDS FOR ASPHALT PAVING AND FIBER MATERIAL SERVICES FOR THE WALWORTH ROAD PROJECT

Mr. Spickerman presented the following:

WHEREAS, after milling the existing pavement on the Walworth Road Project, a fiber material will be applied to the pavement and hot mix asphalt will be applied in a binder and top course; and

WHEREAS, roadway paving of hot mix asphalt is a specialized service,; now, there, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bids for Asphalt Paving and Fiber Materials for the Walworth Road Project (D51122.52694) , in accordance with specifications prepared by the Highway Superintendent 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.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Fabino. Upon roll call, adopted.

RESOLUTION NO. 299-08: AUTHORIZATION TO ACCEPT LOW BID FOR CONCRETE GUTTERS AND SIDEWALKS FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT'S WALWORTH ROAD PROJECT

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Highway Department will act as the prime contractor for the Town of Walworth for the installation of concrete sidewalks: and

WHEREAS, the Town of Walworth will reimburse the Wayne County Highway Department for the sidewalk preparation and sidewalk concrete materials: and

WHEREAS, the County of Wayne will be paying for the gutter installation and concrete materials for the gutters; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for concrete gutters and sidewalks for the Walworth Road Project (D51122.52694) for the County Highway Department, and the bids were open on Tuesday, March 18, 2008 at 2:00 p.m. and the following bids were received:

	<u>L.F Price for Gutters</u>	<u>L.F. Price for Sidewalks</u>
• Syrstone	\$9.50	\$8.00
• D.C. Allen	\$10.80	\$15.00
• Hynes	\$11.05	\$14.60
• Militello Concrete	\$4.90	\$8.25
• Surianello	\$10.00	\$7.40
• Sunshine Construction	\$12.00	\$14.50

now, therefore, be it

RESOLVED, that the bid submitted by Militello Concrete of Amherst, New York in the bid price of \$4.90 per linear foot for gutters and the bid price of \$8.25 per linear foot for sidewalks in accordance with the specifications, is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Militello Concrete in accordance with the bid acceptance.

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

RESOLUTION NO. 300-08: AUTHORIZATION TO ACCEPT LOW BID FOR (1) 2008 OR NEWER WHEEL TYPE HYDRAULIC EXCAVATOR FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. Fabino presented the following:

WHEREAS, a wheel type hydraulic excavator was budgeted for 2008; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for (1) 2008 or newer wheel type hydraulic excavator for the County Highway Department, and the bids were open on Friday, March 28, 2008 at 10:00 a.m. and the following bids were received:

- George & Swede \$173,411
- Southworth Milton CAT \$184,848
- Vantage Equipment \$183,047

and

WHEREAS, the bid submitted by George & Swede was incomplete; and

WHEREAS, Vantage Equipment took several exceptions to the specifications such as engine size, joystick steering, fuel capacity, engine mounting location, no led lighting, no heated mirrors; and

WHEREAS, the serviceability of the Volvo from Vantage Equipment is not nearly as efficient due to the engine mounting location; and

WHEREAS, the lack of led lighting and heated mirrors reduce the on road safety of the vehicle; and

WHEREAS, the Wayne County Highway Department currently has a similar CAT excavator (as proposed by Southworth Milton CAT) which will allow us to stock one set of service and maintenance parts; now, therefore, be it

RESOLVED, that the bid submitted by Southworth Milton CAT of Batavia, New York in the amount of \$184,848 in accordance with the specifications, is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Southworth Milton CAT in accordance with the bid acceptance.

Mr. Lyon moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 301-08: AUTHORIZE RETURNING 2008 HIGHWAY EQUIPMENT FUNDS BACK TO THE GENERAL FUND CONTINGENT ACCOUNT

Mr. Fabino presented the following:

WHEREAS, three (3) crew cab trucks w/dump were approved in the 2008 County Budget for purchase by the Highway Department at an estimated cost of \$80,000.00 each and a total cost not to exceed of \$240,000.00; and

WHEREAS, the Highway Superintendent submitted a purchase order for one (1) F450 Crew Cab-State Bib at a cost of \$47,759.81 which was approved by the Public Works Committee and the Finance Committee at the March 2008 meetings; and

WHEREAS, the Finance Committee recommended that the difference between the budget and the purchase price of one (1) vehicle of \$32,240.19 be returned to the General Fund Contingent Account; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to return \$32,240.19 to the General Fund Contingent Account from the D Highway Fund

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

RESOLUTION NO. 302-08: AUTHORIZATION TO ADVERTISE FOR BIDS FOR PARKS PLAYGROUND EQUIPMENT AND TWO (2) PRECAST RESTROOMS

Mr. Spickerman presented the following:

WHEREAS, pursuant to the adoption of Resolution No. 245-05, the Wayne County Board of Supervisors accepted a grant in the amount of \$79,528.00 for use in Canal Parks; and

WHEREAS, this grant funding has been put in place within the Planning Dept. Budget line item Account No. A8020.54192; and

WHEREAS, no additional County funds are required for this grant; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for playground equipment and two (2) precast restrooms in accordance with specifications prepared by the Wayne County Buildings and Grounds Superintendent and approved by the County Attorney as to content and form; 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 bids(s) at the next meeting of the Board of Supervisors following the bid opening.

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

RESOLUTION NO. 303-08: AUTHORIZATION TO PURCHASE COMPUTER AND TRANSFER FUNDS FOR WEIGHTS AND MEASURES

Mr. Fabino presented the following:

WHEREAS, the Director of Weights and Measures is in need of replacing a computer in their office; now, therefore be it

RESOLVED, that the Director of Weights and Measures is hereby authorized to purchase one (1) laptop computer at a cost not to exceed \$894.00; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer the following:

Account No. A6610 – Weights and Measures

\$894.00 from Account No. .52200 (Office Equipment) to Account No. .52201 (Computer Equipment).

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

RESOLUTION NO. 304-08: AUTHORIZATION TO EXECUTE AGREEMENT WITH NYS DEFENDERS ASSOCIATION, INC. FOR MAINTENANCE AND SOFTWARE SUPPORT FOR THE PUBLIC DEFENSE CASE MANAGEMENT SYSTEM (PDCMS) IN THE PUBLIC DEFENDER'S OFFICE

Mrs. Bender presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an extension on the agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with New York State Defenders Association for maintenance and software support for the Public Defense Case Management System (PDCMS) in the Public Defender's Office for the agreement period of March 6, 2008 to March 6, 2009, at a cost not to exceed \$1,500.

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

RESOLUTION NO. 305-08: AUTHORIZATION TO AMEND DISTRICT ATTORNEY'S 2008 BUDGET FOR THE UNEXPENDED LEGISLATIVE GRANT FUNDS

Mrs. Bender presented the following:

RESOLVED, that the County Treasurer is hereby authorized and directed to amend District Attorney's 2008 budget to increase revenue and appropriation accounts for the unexpended Legislative grant LG07078671 funds as follows:

Account No. A1165 – District Attorney

Revenues:

43322 (Legislative Grant) \$12,775.00

Personal Services:

51025 (Assistant District Attorney FT-2) \$ 7,865.14

51027 (Assistant District Attorney FT) \$ 3,932.57

Fringe Benefits:

58200 (Payments to Social Security) \$ 977.29

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

RESOLUTION NO. 306-08: AUTHORIZATION TO AMEND RESOLUTION NO. 813-07 FOR POLYGRAPH OPERATOR MICHAEL SCHANK FOR SHERIFF'S OFFICE

Mrs. Bender presented the following:

WHEREAS, the Wayne County Board of Supervisors duly adopted Resolution No. 813-07 with Polygraph Operator Michael Schank in December of 2007 at \$150 per perspective employee; and

WHEREAS, the cost of the pre-testing has increased to \$250 per perspective employee; and

WHEREAS, it is requested that the Chairman of the Wayne County Board of Supervisors and the Wayne County Sheriff be authorized and directed to amend the agreement with Michael Schank for this service; now, therefore, be it

RESOLVED, Resolution No. 813-07 is hereby amended for the Chairman of the Wayne County Board of Supervisors and Wayne County Office of Sheriff to execute and amendment to the agreement with Polygraph Operator Michael Schank to conduct Employee pre-testing at \$250 per perspective employee for the Wayne County Office of Sheriff for the contract period of January 1, 2008 through December 31, 2008.

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

RESOLUTION NO. 307-08: AUTHORIZATION TO ESTABLISH A TRUST FUND FOR THE WAYNE COUNTY SHERIFF'S OFFICE COLOR GUARD

Mrs. Bender presented the following:

RESOLVED, that the Wayne County Treasurer is hereby authorized to establish a trust fund for the Wayne County Sheriff's Office Color Guard for donations received for this purpose as follows:

Account No. TE2091

and be it further

RESOLVED, that the trust fund would be used solely for the purpose of maintaining and supporting the Sheriff's Office Color Guard and the use of the money will be authorized by the Public Safety Committee.

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

RESOLUTION NO. 308-08: AUTHORIZATION TO ACCEPT GRANT AND MODIFY BUDGET FOR FY07 HOMELAND SECURITY GRANT IN THE AMOUNT OF \$117,000 WITH THE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (LETPP)

Mrs. Bender presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of \$117,000 for the prevention of terrorist attacks and enhance the county's border security initiative with the purchase of Mobile Data Terminals, Emergency Response Trailer, Vehicle and Electronic surveillance equipment; 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 the NYS Office of Homeland Security; and be it further

RESOLVED, that revenue line item A31141.43302.31121 Homeland Security is hereby increased in the amount of \$117,000 and the Sheriff is hereby authorized to purchase said equipment and the Wayne County Treasurer is hereby authorized and directed to modify the budget as follows:

Account No. A3114 – Sheriff – Road Patrol

Increase A31142.52500 (Other Equipment) in the amount of \$117,000

Increase A31141.43302 (Homeland Security – Federal) in the amount of \$117,000

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

RESOLUTION NO. 309-08: AUTHORIZATION TO SELL EMERGENCY RESPONSE VEHICLE; AUTHORIZE PAYMENT TO BROKER AND AMEND BUDGET FOR THE WAYNE COUNTY FIRE COORDINATOR

Mrs. Bender presented the following:

WHEREAS, pursuant to Resolution No. 473-06, the Wayne County Fire Coordinator obtained a proposal from Fenton Fire Equipment, Inc., to advertise and sell one (1) 1989 Ford Emergency Response Vehicle (VIN #1FDPK74P1KVA29971) on their website for a 7% commission fee on the final selling price of the vehicle; and

WHEREAS, the Fire Coordinator has received notification from Fenton Fire Equipment, Inc. that they have secured a buyer for said vehicle; now, therefore, be it

RESOLVED, that the Wayne County Fire Coordinator, on behalf of the Wayne County Board of Supervisors, is hereby authorized to sell the 1989 Ford Emergency Response Vehicle for \$20,000.00; and be it further and be it further

RESOLVED, that the Fire Coordinator is hereby authorized to pay the 7% Commission Fee of \$1,400, to be processed in the May 2008 audit, payable to Fenton Fire Equipment as contracted, after the certified check is received.

RESOLVED, that the County Treasurer is hereby authorized to amend the 2008 County Budget as follows:

Account No. A3410 - Fire Coordinator

\$1,400 to .42665 (Sale of Surplus Equipment)

\$1,400 to .54600 (Miscellaneous)

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

RESOLUTION NO. 310-08: AUTHORIZATION TO SUBMIT REQUEST FOR PROPOSALS (RFP) FOR CRISIS INFORMATION MANAGEMENT SYSTEM

Mrs. Bender presented the following:

WHEREAS, pursuant to Resolution No. 624-07, the Board authorized the Execution of a Grant Application and Contract with the NYS Office of Homeland Security to Purchase a Crisis Information Management System; now, therefore, be it

RESOLVED, that the Director of Emergency Management is hereby authorized and directed to prepare and distribute a Request for Proposals, currently reviewed and approved by the County Attorney, for the acquisition of a Crisis Information Management System; and be it further

RESOLVED, that the Director of Emergency Management shall review proposals and present a recommendation to the standing committee and the Board of Supervisors for approval.

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

RESOLUTION NO. 311-08: AUTHORIZATION FOR STOP DWI POSTER AWARDS FOR 2008

Mrs. Bender presented the following:

RESOLVED, that the Wayne County Stop-DWI Program is hereby authorized to present a check to each of 4 winners of the year 2008 STOP DWI Poster Contest and a check of equal value will be given to the SADD Group in the school they attend (If applicable).

	<u>Individual</u>	<u>SADD Group</u>
1st Prize	\$100	\$100
2nd Prize	75	75
3rd Prize	50	50
4th Prize	25	25
Total	\$250	\$250

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Fabino. Upon roll call, adopted.

RESOLUTION NO. 312-08: AUTHORIZATION TO DISTRIBUTE CHEMICAL-FREE PROM AND GRADUATION PARTY GRANTS FOR 2008

Mrs. Bender presented the following:

RESOLVED, that STOP-DWI is authorized to present a check to each Wayne County school that applies and qualifies for an alcohol/drug free Graduation or Prom Party Grant,

RESOLVED, that STOP-DWI is hereby authorized to present a check to the following Wayne County schools that applied and qualified for an alcohol/drug free Graduation or Prom

Party Grant at a cost not to exceed \$2,400.	
Lyons Central School	\$400
North Rose-Wolcott Central School	\$400
Marion Central School	\$400
Palmyra-Macedon Central School	\$400
Newark Central School	\$400
Williamson Central School	\$400

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

RESOLUTION NO. 313-08: AUTHORIZATION TO FILL SECRETARY TO DWI COORDINATOR ON A TEMPORARY BASIS

Mrs. Bender presented the following:

WHEREAS, the Secretary to the DWI Coordinator will be on an FMLA/Disability Leave of Absence for possibly twelve (12) weeks, utilizing her accruals; and

WHEREAS, the STOP DWI Coordinator is seeking authorization to fill this position of Secretary temporarily at a rate of \$12.00/hour, for no more than twelve (12) weeks on a part-time basis; now, therefore, be it

RESOLVED, that the STOP DWI Coordinator is hereby authorized to fill the temporary position as needed; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2008 County Budget as follows:

Account No. A3315 – Stop DWI

\$2,712 to .42615 (Fines)

\$2,520 to .51017 (Secy-Chairman/DWI)

\$192 to .58200 (Payments to Social Security)

Mrs. Collier moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, all Supervisors voted Aye. Absent – Supervisors LeRoy and Park. The Chairman declared the Resolution adopted.

RESOLUTION NO. 314-08: AUTHORIZATION TO ADVERTISE; SET SALARY AND FILL VACANCY OF 911 TECHNOLOGY COORDINATOR

Mrs. Bender presented the following:

WHEREAS, the Wayne County 911 Technology Coordinator has furnished notice that he intends to resign from County employment, at a date to be specified, but not prior to May 25, 2008, nor later than August 20, 2008; and

WHEREAS, due to the specialized nature of this position, which includes responsibility for technical oversight of all 911 related equipment and applications, some employment overlap is necessary to allow for training of a newly appointed Technology Coordinator, by the outgoing Technology Coordinator; now, therefore, be it

RESOLVED, that the 911 Coordinator shall be authorized to advertised and fill the aforementioned 911 Technology Coordinator vacancy to be created, with the newly hired Technology Coordinator to be scheduled to commence employment not more than 21 days prior to the resignation date of the outgoing coordinator; and be it further

RESOLVED, that the 911 Technology Coordinator position shall continue to be classified as a managerial position, with the 2008 annual salary for the newly hired employee to be \$50,000, pro-rated based on the hire date to be determined; and be it further

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

A36421.54232 Telephone shall be reduced by \$3174

A36421.51378 911 Technology Coordinator shall be increased by \$2885

A36421.58200 Payments to Social Security shall be increased by \$289

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, all Supervisors voted Aye. Absent – Supervisors LeRoy and Park. The Chairman declared the

Resolution adopted.

RESOLUTION NO. 315-08: AUTHORIZE APPOINTMENTS TO THE EMS ADVISORY BOARD

Mrs. Bender presented the following:

RESOLVED that the following people are hereby appointed to the EMS Advisory Board for a term of office effective immediately and expiring December 31, 2008:

Town of Palmyra Debbie Rothfuss

Town of Williamson Sue Ray

and be it further

RESOLVED, that these persons shall be County Officers and shall serve without compensation.

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 316-08: AUTHORIZATION TO AMEND BUDGETS AND TRANSFER FUNDS FOR VARIOUS COUNTY DEPARTMENTS

Mr. Lyon presented the following:

RESOLVED, that the County Treasurer is hereby authorized and directed to amend and transfer the following accounts accordingly:

Account No. MS9055 - Disability

\$ 22,500.00 to .42709 Employee Contributions

\$136,000.00 to .42801 Interfund Reimbursement of Expense

\$ 15,600.00 to .54000 Contractual Expense

\$142,900.00 to .58600 Disability

Account No. A4019 – Wayne Community Nursing Care

\$1,647 from .52300 (Motor Vehicle) to .52200 (Office Equipment)

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

RESOLUTION NO. 317-08: DECLARE VEHICLES AND EQUIPMENT SURPLUS AND AUTHORIZE SALE AT MUNICIPAL AUCTION

Mr. Lyon presented the following:

RESOLVED, that the following list of vehicles and equipment are no longer of use by Wayne County and are hereby declared surplus and to be sold at the annual auction of municipal equipment at the Palmyra Town Highway Department on Saturday, May 10, 2008:

1995 Pontiac	VIN#	1G2NE55D9SC842597
1995 Pontiac	VIN #	1G2NE55D4SC842698
1999 Plymouth Van	VIN #	2P4GP25RGXR352203
2000 Ford CV	VIN #	2FAFP71W1YX111788
1998 Ford CV	VIN #	2FAFP71W3WX141128
1999 Ford CV	VIN #	2FAFP71W4XX199878
2000 Ford CV	VIN #	2FAFP71WOYX166250
1994 Dodge Van	VIN #	2B4HB15XORK149834
1991 Chevrolet Caprice	VIN #	1G1BL5376MR128582
2001 Ford CV	VIN #	2FAFP71W71X179566
2000 Ford CV	VIN #	2FAFP71W3YX166257
1994 Dodge Van	VIN #	2B4HB15Y1RK154923
1994 Dodge Van	VIN #	2B5WB352XRK156192
1999 Dodge Van	VIN #	2B4HB15X7XK561987
1996 Chevrolet Lumina	VIN #	2G1W152MOT9240988
1996 Chevrolet Cavalier	VIN #	1G1JC5249T7214577

Sheriff Department

1998 Dodge Neon VIN # 1B3ES47WD655525

Mental Health

1997 Ford Mini Van VIN # 1FMCA11U0VZB32496
1996 Chevrolet Cavalier VIN # 1G1JC5248T7214974

Public Health

1996 Chevy Cavalier VIN # 1G1JC5243T7219998
1996 Chevy Cavalier VIN # 1G1JC5249T7219942
1998 Chevy Cavalier VIN # 1G1JC524W7276546

and be it further

RESOLVED, that the proceeds from the sale of the following highway equipment, declared surplus and to be sold at the auction, shall be deposited into the Machinery Revenue Fund Account DM99990.42655.

Highway Department

1 – 1985 Michigan 125C Loader VIN # 809A220CB
1 – 1994 Ford L-150 4x4 Pickup VIN # 1FTEX14N3RKA81767
1 – 1991 Ford F350 Crew Cab Pickup VIN # 2FTJW35H4MCA79738
1 – 1986 Stone 18" Plate Tamp
1 - 1987 Thomas P-30 Bus VIN # 1GDKP32M9H3500329
1 – 1984 Case 446 Lawn Mower
1 - Hydraulic Wood Splitter

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

RESOLUTION NO. 318-08: AUTHORIZATION TO EXECUTE AGREEMENTS FOR BOOTH RENTALS FOR COUNTY DEPARTMENTS TO PARTICIPATE AT THE WAYNE COUNTY FAIR

Mr. Lyon presented the following:

WHEREAS, several Wayne County Departments have requested to rent booths for participation in presentations at the Wayne County Fair scheduled for August 11-16, 2008; and

WHEREAS, the cost for each booth space is \$155 with the additional charge of \$5 each, for necessary passes for workers; now, therefore, be it

RESOLVED, that subject to Standing Committee approval, the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute contracts on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Union Agricultural Society at Palmyra for rental of booths for the following County Departments for the 2008 County Fair:

WC Stop DWI 1 booth
WC Tourism 2 booths

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

RESOLUTION NO. 319-08: AUTHORIZATION TO PURCHASE EQUIPMENT AND FURNISHINGS FOR CERTAIN COUNTY DEPARTMENTS

Mr. Lyon presented the following:

RESOLVED, that the following Department Heads are hereby authorized to purchase the following furnishings and equipment from state bid contract or best quotes according to the County's regulations and policies for purchasing and bidding:

Fire Coordinator

08000380 3 - Motorola CP200 Portable Radios 1,538.25
08000278 1 – Multi Manifold MM15-6 Appliance 495.00

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll

call, adopted.

RESOLUTION NO. 320-08: AUTHORIZATION TO ACCEPT GRANT FROM THE NYS GOVERNOR'S CENTRALIZED PROPERTY TAX ADMINISTRATION PROGRAM (2007-08)

Mr. Lyon presented the following:

WHEREAS, the Wayne County Real Property Tax Office has received a grant in the amount of \$50,000 in funds from the Governor's Centralized Property Tax Administration Program (2007-08) to participate in a study to integrate cooperative efforts among municipal governments; now, therefore, be it

RESOLVED, that the grant in the amount of \$50,000 is accepted to have a study prepared, and to send a study copy to the Office of Real Property Services with the minutes of the Board of Supervisors indicating receipt of the study; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute any documents necessary to implement the grant on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to create the following:

A1355-ASSESSMENT –REAL PROPERTY TAX

\$50,000.00 to .43716 (State Aid)

\$50,000.00 to .54000 (Contractual Expense)

Mr. Fabino moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 321-08: AUTHORIZING COUNTY TREASURER TO DISBURSE SURPLUS DOG LICENSE FEES

Mr. Lyon presented the following:

WHEREAS, Pursuant to Section III of the Agriculture and Markets Law, the County Treasurer has filed a Dog License Report covering the monies remitted and the monies expended by the Treasurer under the provision of Article 7 of the Agriculture and Markets Law for the period January 1, 2007 to December 31, 2007 and

WHEREAS, said report shows the amount of \$12,931.63 is to be apportioned to the towns ratably to the remittance made by each municipality; now, therefore be it

RESOLVED, that the report is hereby accepted by the Board of Supervisors and the County Treasurer is hereby authorized and directed to pay the amounts apportioned to the municipalities as set forth in the report.

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

RESOLUTION NO. 322-08: APPROVE LOAN OF COUNTY VEHICLE TO THE TOWN OF WALWORTH

Mr. Lyon presented the following:

WHEREAS, the Wayne Behavioral Health Network has declared the 1996 Chevrolet Cavalier surplus (VIN 1G1JC5249T7214974 due to high mileage; and

WHEREAS, the Town of Walworth is interested in using a surplus vehicle from the County of Wayne in "as is" condition; now, therefore, be it

RESOLVED, that the County of Wayne ("County") shall loan one (1) surplus vehicle - 1996 Chevrolet Cavalier surplus 1G1JC5249T7214974 to the Town of Walworth, provided that the Town of Walworth shall execute a vehicle loan agreement containing the following terms and conditions:

1. At all times after delivery of the vehicle by the County to the Town of Walworth and until termination of the agreement, (hereinafter referred to as the "loan period"), the vehicle shall be deemed to be under the care, custody, and control of the Town of Walworth. The Town of Walworth shall be responsible for all maintenance and repair of the vehicle during the loan period.

2. The Town of Walworth shall indemnify the County for all damages to, or loss of, the vehicle during the loan period;
3. Notwithstanding the limits of liability of any policy of insurance maintained by the Town of Walworth, the Town of Walworth shall defend, indemnify, and hold harmless the County and its officers, employees, and agents from all liabilities, claims, actions, damages, costs, and expenses (including, but not limited to, attorneys' fees) of every nature and description arising out of the use or operation of the vehicle during the loan period. The Town of Walworth's duties and obligations pursuant to this paragraph shall survive the termination or expiration of this agreement.
4. (a) At all times during the loan period, the Town of Walworth shall maintain Automobile Liability Insurance coverage for the vehicle with a combined single limit for Bodily Injury and Property Damage of not less than \$1,000,000 each accident;
 (b) Upon execution of the agreement, the Town of Walworth shall furnish the County with a Certificate of Insurance evidencing that a policy for the required Automobile Liability Insurance coverage has been issued and is in effect. If the policy expires or is cancelled during the term of this agreement, the Town of Walworth shall immediately furnish a Certificate of Insurance evidencing proper renewal or replacement of the policy. The Town of Walworth shall use the WC Standard Insurance Certificate form, except that the IIA/ACORD form Certificate of Insurance may be used provided the Cancellation provision set forth in Section VII on the WC Standard Insurance Certificate is added verbatim to the form.
5. The agreement shall take effect immediately upon execution by the parties and shall terminate automatically when the Town of Walworth returns the vehicle to the County. The County also may terminate the agreement upon ten (10) days written notice of termination to the Town of Walworth;

and be it further

RESOLVED, that the Chairman of the WC Board of Supervisor is hereby authorized and directed to execute the vehicle loan agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Fabino. Upon roll call, adopted.

RESOLUTION NO. 323-08: AUTHORIZATION TO PAY 2008 CONSULTING FEE FOR WAYNE COUNTY TO HAYLOR, FREYER & COON

Mr. Lyon presented the following:

WHEREAS, Wayne County has received an Invoice #392595 from Haylor, Freyer and Coon, Inc. in the amount of Sixteen Thousand Two Hundred Forty Two and 48/100 Dollars (\$16,242.48) for the annual renewal for Consulting Fees to Wayne County for the period of April 1, 2008 – April 1, 2009; now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to make payment to Haylor, Freyer & Coon, Inc. for the annual Consulting Fees for 2008 in the amount of Sixteen Thousand Two Hundred Forty Two and 48/100 Dollars (\$16,242.48) from Account A1910.4300 upon adoption of this resolution.

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

RESOLUTION NO. 324-08: AUTHORIZATION TO PAY INSURANCE PREMIUMS TO HAYLOR, FREYER AND COON, INC.

Mr. Lyon presented the following:

WHEREAS, Wayne County has received Five (5) Invoices from Haylor, Freyer and Coon, Inc. for the following renewal premiums due for the County of Wayne for the period of April 1, 2008 – April 1, 2009:

1. Invoice #392589- Renewal for Commercial Package including Auto, Law

- Enforcement, Public Officials and General Liability in the amount of \$86,869.30
- 2. Invoice #392593- Renewal for Commercial Umbrella Excess in the amount of \$29,770.40
- 3. Invoice #392591- Renewal for General Liability in the amount of \$4,725.12
- 4. Invoice #392592- Renewal for Professional Liability in the amount of \$80,262.84
- 5. Invoice #392555-Renewal for Commercial Inland Marine Package in the amount of \$2,891.90

now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to make payments to Haylor, Freyer & Coon, Inc. in the amounts of Eighty Six Thousand Eight Hundred Sixty Nine and 30/100 (\$86,869.30) for the Commercial Package, Twenty Nine Thousand Seven Hundred Seventy and 40/100 (\$29,770.40) for the Commercial Umbrella Excess, Four Thousand Seven Hundred Twenty Five and 12/100 (\$4725.12) for the General Liability, Eighty Thousand Two Hundred Sixty Two and 84/100 Dollars (\$80, 262.84), and Two Thousand Eight Hundred Ninety One and 90/100 (\$2,891.90) for the Commercial Inland Marine from Account A1910.4300 upon adoption of this resolution.

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

RESOLUTION NO. 325-08: TAX REFUND – ERROR ON TAX ROLL

Mr. Lyon 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 BUTLER

2008 Tax Roll	
Account No.	75117-20-755186
Assessed to:	Robert & Elizabeth Searle
Total Tax Difference:	\$ 90.66 Total County Tax Difference: \$ 70.68
Refund:	\$ 90.66

TOWN OF BUTLER

2007 Tax Roll	
Account No.	75117-20-755186
Assessed to:	Robert & Elizabeth Searle
Total Tax Difference:	\$ 56.43 Total County Tax Difference: \$ 36.20
Refund:	\$ 56.43

TOWN OF ONTARIO

2008 Tax Roll	
Account No.	63118-06-378808
Assessed to:	Geraldine K. Whitmire
Total Tax Difference:	\$ 127.27 Total County Tax Difference: \$ 96.54
Refund:	\$ 127.27

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.

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

RESOLUTION NO. 326-08: AUTHORIZATION TO EXECUTE AGREEMENT WITH UPSTATE GRAPHICS FOR MAINTENANCE ON PRINTING DEPARTMENT EQUIPMENT

Mr. Lyon presented the following:

WHEREAS, the County of Wayne's Printing Department owns a Riso printing machine which requires maintenance, and

WHEREAS, the County has contacted with Upstate Graphics to provide for the maintenance in the past; 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 Upstate Graphics for an annual amount of \$1,149.00 and a annual per copy charge of .002 per copy for all copies in excess of 350,000 for the contract period 5/1/08 to 5/1/09.

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

RESOLUTION NO. 327-08: AUDIT OF CLAIMS – April 15, 2008

Mr. Lyon presented the following:

WHEREAS, the following claims submitted at this meeting of the Board of Supervisors have been examined and approved by the appropriate Committees; now, therefore, be it

RESOLVED, that the following Claims are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$	3,305,261.85
2. D Fund	\$	49,489.36
3. DM Fund	\$	79,423.67
4. E Fund	\$	247,556.25
5. H Fund	\$	8,563.92
6. MS Fund	\$	30,365.42
7. S Fund	\$	<u>179,045.00</u>
Warrant Total	\$	3,899,705.47

and be it further

RESOLVED, that the following utilities totaling \$80,783.84, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$	56,563.60
2. DM Fund	\$	6,258.01
3. E Fund	\$	<u>17,962.23</u>
Utility Total	\$	80,783.84

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling \$70,147.57, are hereby ratified:

1. Nursing Home	\$	66,704.00
2. Sheriff's Office	\$	2,583.02
3. Social Services	\$	330.08
4. Buildings and Grounds	\$	200.00
5. Aging and Youth	\$	165.60
6. Personnel/Payroll	\$	<u>164.87</u>
Misc. Disbursement Total	\$	70,147.57

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

Mr. James Marquette, Wayne County Administrator, addressed the board to give a brief presentation regarding the office space needs of certain Wayne County Departments.

He reported that the Ad-Hoc Relocation Committee had been meeting on a regular basis to review office space needs and agreed on a plan to for the renovation of space within the County's former nursing home facility and for the needed renovations and proposed addition to the county office building located at 9 Pearl Street.

Mr. Marquette added that the committee will propose, with the presentation of the next two resolutions, a funding request for architectural/engineering services for additional space needs analysis and preliminary layout for the renovations of former nursing home facility, in addition to contracting with SWBR to conduct a study for a space needs analysis of departments currently in the Pearl Street and William Street buildings and to review the feasibility of renovations that include an addition to the County Office Building at 9 Pearl Street.

Mr. Marquette concluded that consideration will be taken to meet the needs of every department with emphasis in working with the resources that are set aside for these projects.

Mr. Hammond voiced concern regarding the proposed plans of relocating county departments from the County Office Building at 16 William Street and the structure being vacant.

Mr. Fabino suggested a meeting with the office of the Village and Town of Lyons in regards to the property at 16 William Street.

RESOLUTION NO. 328-08: AUTHORIZATION TO FUND ARCHITECTURAL/ENGINEERING FEES FOR RENOVATION OF FORMER NURSING HOME

Mr. Spickerman presented the following:

WHEREAS, after review and examination of County office needs, the Building Relocation Committee recommends the County fund a project account in the amount of \$1 million for the renovation of the former nursing home; and

WHEREAS, funding will be utilized for architectural/engineering fees related to renovation of space in the County's former nursing home facility for the Sheriff, Emergency Management, Fire Coordinator, Board of Elections and any other County office as determined appropriate; and

WHEREAS, this is the initial funding step in this project and the County has appropriated funds in the past for this project; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend Project Account No. H1933-Building Renovation Project as follows:

H1933-BUILDING RENOVATION PROJECT

\$1,000,000.00 to .52574 (Consultants & Managers)

\$1,000,000.00 from .52700 (Capital Construction)

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, all Supervisors voted Aye, except Supervisors Groat and Hammond who voted Nay. Absent – Supervisors LeRoy and Park. The Chairman declared the Resolution adopted.

RESOLUTION NO. 329-08: AUTHORIZATION TO EXECUTE CONTRACT WITH SWBR ASSOCIATES TO STUDY THE FEASIBILITY OF RENOVATIONS OF AND AN ADDITION TO COUNTY OFFICE BUILDING AT 9 PEARL STREET

Mr. Spickerman presented the following:

WHEREAS, the Ad-Hoc Relocation Committee has been meeting on a regular basis to review Wayne County office space needs; and

WHEREAS, a conceptual plan to provide office space for departments has been developed; and

WHEREAS, a further study is necessary to verify that the conceptual plan is workable; and

WHEREAS, a further study is also necessary to determine certain departments current

space needs; and

WHEREAS, it is necessary to review the feasibility of building an addition to the 9 Pearl Street Building; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors authorizes the Chairman of the Wayne County Board of Supervisors to enter into an agreement with SWBR Associates, subject to the County Attorney's approval, to provide architectural and engineering services for space needs at a cost of \$61,470, for the review of space needs and provide a concept feasibility study for 9 Pearl Street, and to pay for additional costs up to \$700 for reimbursable expenses.

Mr. Fabino moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, all Supervisors voted Aye, except Supervisor Hammond who voted Nay. Absent – Supervisors LeRoy and Park. The Chairman declared the Resolution adopted.

RESOLUTION NO. 330-08: AUTHORIZATION TO EXECUTE A CONTRACT WITH SWBR ASSOCIATES FOR A FINAL PROGRAM REVIEW IN PREPARATION FOR THE RENOVATION AND REUSE OF A PORTION OF THE FORMER WAYNE COUNTY NURSING HOME

Mr. Spickerman presented the following:

WHEREAS, the Ad Hoc Relocation Committee has been meeting on a regular basis to review Wayne County office space needs; and

WHEREAS, a conceptual plan to provide office space for certain departments has been developed; and

WHEREAS, it is necessary to review the space needs of departments currently housed in the former ICF building that had not previously been reviewed; and

WHEREAS, this review is prudent to ensure that the conceptual plan is feasible to implement; and

WHEREAS, after that review is complete it is necessary to ensure that those departments can be efficiently housed in a portion of the former nursing home; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors authorizes the Chairman of the Wayne County Board of Supervisors to enter into an agreement with SWBR Associates subject to the County Attorney's approval to provide architectural and engineering services at a cost of \$25,000, to review space needs and to complete a final verification of space reuse at the former nursing home, and to pay for additional costs up to \$700 for reimbursable expenses; and be it further

RESOLVED, that in order to maintain a diligent schedule to identify and reconstruct space to house departments that are currently in the ICF building, SWBR Associates shall deliver its findings not later than May 30, 2008.

Clarification was requested on the payment amount of this resolution.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Fabino. Upon roll call, adopted.

RESOLUTION NO. 331-08: AUTHORIZATION TO DECLARE VEHICLE SURPLUS FOR THE WAYNE COUNTY SHERIFF'S DEPARTMENT

Mrs. Bender presented the following:

WHEREAS the following vehicle is no longer of use by the Wayne County Sheriff's Department:

1 – 1987 Winnebago Motor Home

VIN: 1GBKP37W9H3329410

now, therefore, be it

RESOLVED, that the vehicle listed above is hereby declared surplus and moved to Central Garage to be disposed at the Municipal Auction, in accordance with the surplus Vehicle Disposition Procedure outlined in Resolution No. 357-91.

Mr. Lyon moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 332-08: ADOPTION OF LOCAL LAW PROVIDING FOR CHANGES IN SALARIES OF CERTAIN COUNTY OFFICERS DURING THEIR TERM OF OFFICE (2008)

Mrs. Collier presented the following:

WHEREAS, a proposed local law in relation to providing for changes in the salaries of certain County officers during their term of office was presented to the Board of Supervisors on Tuesday, March 18, 2008; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors on Tuesday, April 15, 2008 at 9:30 am, 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

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 Treasurer shall be \$66,592 effective January 1, 2008.

SECTION 2. The annual salary of the County Clerk shall be \$68,232 effective January 1, 2008.

SECTION 3. The annual salary of the County Coroner shall be \$36,197 effective January 1, 2008.

SECTION 4. The annual salary of the Commissioner of Social Services shall be \$81,070 effective January 1, 2008.

SECTION 5. The annual salary of the County Administrator shall be \$110,000 effective January 1, 2008.

SECTION 6. The annual salary of the County Attorney shall be \$87,520 effective January 1, 2008.

SECTION 7. The annual salary of the Public Defender shall be \$82,258 effective January 1, 2008.

SECTION 8. The annual salary of the Fire Coordinator shall be \$26,386 effective January 1, 2008.

SECTION 9. The annual salary of the Director of Real Property Tax Service shall be \$58,000 effective January 1, 2008.

SECTION 10. The annual salary of the Personnel Officer shall be \$66,607 effective January 1, 2008.

SECTION 11. The annual salary of the Superintendent of Highways shall be \$71,989 effective January 1, 2008.

SECTION 12. The annual salary of the Sheriff shall be \$83,988 effective January 1, 2008.

SECTION 13. An incumbent holding a position subject to the provisions of Sections 1 through 12 of this local law at the time during the period from the effective date of the salary increase for such position until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefore, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.

SECTION 14. 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 15. 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 16. 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, 2008.

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

RESOLUTION NO. 333-08: AUTHORIZATION FOR DIRECTOR OF WORKFORCE DEVELOPMENT TO ATTEND TRAINING CONFERENCE

Mr. Hammond presented the following:

WHEREAS, the Director of Workforce Development, in conjunction with the NYS Department of Labor, has requested to attend an "Earmark Training Conference" in Philadelphia, PA, that is designed to provide the necessary tools for writing an effective proposal for grant funding for Veterans' training program; and

WHEREAS, attendance of the conference is mandated before submitting application for the proposed grant award of \$238,755; now, therefore, be it

RESOLVED, that the Director of Workforce Development is hereby authorized to attend the Earmark Training Conference in Philadelphia, PA, from May 6-8, 2008, at a cost not to exceed \$1,228.15.

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

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, May 20, 2008 at 9:00 a.m.

Mr. Lyon moved, seconded by Mr. Groat, that the board adjourn at 10:26 a.m. Carried.

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