

15th Day
Tuesday, September 15, 2009
7:00 p.m.

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

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

Upon roll call, all Supervisors were present.

County Administrator James Marquette and Assistant County Attorney Daniel C. Connors were also present.

APPROVAL OF MINUTES:

Mr. Kelsch moved, seconded by Mr. Fabino, 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

A13250	Treasurer	410.00
A13254	Treasurer	39,012.56
A13554	Assessment - Real Property Tax	829.24
A16802	Information Technology	1,688.04
A16804	Information Technology	6,467.04
A19304	Judgments & Claims	12,607.87
A24904	Community College	17,018.60
A74104	Library	47,182.50
H19082	FMS System Update	750.00
H19332	Building Renovation Project	208,797.26
H19392	Route 31 Complex	4,452.48
		\$ 339,215.59

Committee No. 2 Public Safety

A11652	District Attorney	3,335.58
A11654	District Attorney	13,938.34
A11674	Crimes Victims Board Grants	32.45
A11704	Public Defender	3,598.98
A11724	Legal Defense of Indigents	56,659.26
A11734	Wayne Pre-Trial Services, Inc.	9,219.92
A11854	Coroner	2,889.20
A11904	Grand Jury	2,967.01
A31104	Sheriff	3,738.87
A31114	Sheriff - Recreational Safety	425.04
A31124	Sheriff - Civil Office	156.00
A31134	Sheriff - Juvenile Office	3,436.74
A31142	Sheriff - Road Patrol	3,098.70
A31144	Sheriff - Road Patrol	5,112.56
A31154	Sheriff - Detective Unit	2,291.41
A31164	Sheriff - Court Security	250.80
A31404	Probation	10,538.49
A31504	Sheriff - Jail	34,420.90
A31704	Other Correctional Agencies	8,215.94
A33154	Stop DWI	2,779.64

A34104	Mutual Aid (Fire Coordinator)	12,541.57
A36402	Emergency Management Office	12,500.00
A36404	Emergency Management Office	348.64
A36422	E911 Communications	999.00
A36424	E911 Communications	3,513.34
A36444	ALS Services	<u>5,787.97</u>
		\$ 202,796.35

Committee No. 3 Public Works

A16150	Buildings & Grounds	195.00
A16154	Buildings & Grounds	38,473.28
A16404	Central Garage	11,896.20
A66102	Consumer Affairs (W&M)	693.11
A87304	Soil Conservation	22,509.44
D50104	Highway Administration	951.87
D50204	Highway Engineering	8.00
D51104	Maintenance of Roads & Bridges	11,567.26
D51114	Road Striping & Sign Maint	50,990.51
D51122	Road Construction	206,578.30
DM51304	Road Machinery	<u>90,124.69</u>
		\$ 433,987.66

Committee No. 4 Economic Development & Planning

A56324	Bus Operations	9,594.45
A64104	Publicity (Tourism)	2,812.00
A64114	Tourism Matching Funds Program	4,596.14
A80204	Planning Board	<u>991.02</u>
		\$ 17,993.61

Committee No. 5 Government Operations

A10104	Legislative Board	2,329.03
A12304	County Administration	97.27
A14104	County Clerk	629.25
A14204	County Attorney	1,493.62
A14502	Board of Elections	945.00
A14504	Board of Elections	11,051.09
A16712	Legal Defense of Indigents	9,493.20
A16714	Printing Department	1,591.39
A75104	County Historian	405.30
MS17104	Administrative Fees	<u>17,914.95</u>
		\$ 45,950.10

Committee No. 6 Health & Medical Services

A40104	Public Health	4,561.32
A40114	Public Health Service	25,283.34
A40164	PH - Early Intervention 0-1	137,564.81
A40174	PH - Child w/Spec Needs 3-5	363,638.19
A40184	Public Health Education	3,037.90
A40194	Wayne Community Nursing Care	34,146.52
A43004	Behavioral Health	99,562.67
A43224	Community Providers	427,198.00
E60002	NH Combined	106.98
E60004	NH Combined	<u>224,550.21</u>
		\$ 1,319,649.94

Committee No. 7 Human Services

A60102	Administration	1,553.91
A60104	Administration	137,322.65
A60704	Purchase of Services	3,775.21

A61094	Family Assistance	40.00
A61234	Juv Delinquent Care	1,423.31
A61294	State Training School	76,325.69
A61404	Safety Net	360.00
A62114	Title V Senior Comm Service	40.88
A62124	WFD/DSS Intensive Employment	989.34
A62144	Economic Opportunity & Develop	368.35
A62164	WFD-DSS TEAP	40.92
A62174	WFD-DSS WAGE SUBSIDY	1,531.03
A62184	WFD-PROJECT VETERAN RETURN	584.93
A62894	WIA YOUTH STIMULUS FUNDS	1,986.40
A62924	WFD-APY GRANT	123.20
A62934	WIA Adult	496.41
A62944	WIA Dislocated	1,107.20
A62954	WIA Youth	373.36
A62964	TANF Summer	553.45
A62994	WFD-Administration	40.88
A65104	Veteran Services	5,393.42
A67724	Area Agency on Aging	50,127.70
A73104	Youth Bureau	19,593.71
A73114	Youth Program - Recreation	<u>174.85</u>
		\$ 304,326.80
	Warrant Total	\$ 2,663,920.05
	During the Month Utilities	\$ 122,210.27
	Miscellaneous Disbursements	\$ 292,471.60

Mrs. Collier moved, seconded by Mr. Plant, 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 August 2009 in the amount of \$16,984.41 was received and filed.

A letter was received from Eileen Teeter regarding her on-going protest as to the expense of her health care coverage that Wayne County provides. She again is requesting for the County to look into more affordable health insurance for Wayne County's retirees.

Letters were received from the New York State Office of Parks, Recreation and Historic Preservation, regarding certain Wayne County properties located on Alasa Farms in Alton; the Henry Towar House in Lyons; the Preston-Gaylord Cobblestone House located in Sodus and the Palmyra Village Historic District. They are pleased to notify the Board that these historic properties have been nominated and listed on the State and National Registers of Historic Places.

A copy of the Western Finger Lakes Solid Waste Management Authority's April 21, 2009 Board Meeting minutes were received and filed.

A copy of a certified resolution was received from the Schoharie County Board of Supervisors entitled "Encouraging Immediate Relief for Dairy Farmers and Supporting Changes at the Federal Level Establishing the Price of Fluid Milk at the Farm Gate".

A copy of a certified resolution was received from the Cayuga County Legislature regarding opposition of any "Carcieri Fix" and for Senators Schumer and Gillibrand and Congressman Arcuri to continue their support of Cayuga, Seneca, Madison and Oneida Counties in opposition to land being taken into trust.

Copies of certified resolutions were received from the Ontario County Board of Supervisors regarding the following:

- Agreements between Ontario County and Seneca, Wayne and Yates Counties for Course Offerings at FLCC.
 - Approval of Administrative Agreement with FL Workforce Investment Board regarding the allocation of Workforce Investment Act Funds.
 - Approval of the Workforce Investment Act Local Plan for Program Year 2009-2010.
 - The endorsement of appointments and re-appointments to the FL Workforce Investment Board.
- Mr. Plant moved, seconded by Mrs. Crane, that the Communications be received and filed. Upon roll call, carried.

BIDS:

Sheriff's Department

- Dry Cleaning Services
- Purchase Uniforms and Associated Equipment
- Purchase and Installation of Boat Hoist for Marine Station

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

PRIVILEGE OF THE FLOOR:

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

PROCLAMATIONS:

On behalf of the Board, the Clerk read a proclamation to declare September as National Preparedness Month in Wayne County.

Supervisors Steve LeRoy and Jolene Bender, on behalf of the Board, presented a Certificate of Congratulations to Jay DeWispelaere, who is the recipient of the 2009 Jeanne Ferrell Award as New York State Probation Officer of the Year.

RESOLUTIONS:

RESOLUTION NO. 597-09: AUTHORIZATION TO AMEND THE MS FUND FOR 2009

Mr. Lyon presented the following:

WHEREAS, the MS fund is the account of the Wayne County Health Care Trust, and WHEREAS, it was necessary to raise premiums mid year 2009 and the budget now requires amendments to reflect said changes, now therefore be it

RESOLVED, that the County treasurer is directed to amend the 2009 County Budget as follows:

MS1710-ADMINISTRATIVE FEES:

\$ 9,800.00 to .54000 Contractual Expense
 \$41,677.00 from .54300 Insurance
 \$ 4,035.00 to .54506 Attorneys

MS9060-HOSPITAL & MEDICAL INSURANCE:

\$ 13,000.00 to .41616 Self Pay
 \$ 200,000.00 to .42680 Insurance Recoveries
 \$ 250,000.00 to .42709 Employee Contributions
 \$ 752,625.00 to .42710 Towns & Villages Contributions
 \$1,213,550.00 to .42801 Interfund Reimbursement of Expense
 \$2,457,017.00 to .58400 Hospitalization

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

RESOLUTION NO. 598-09: ESTABLISHING COUNTY EQUALIZATION RATES FOR 2010 TAXES

Mr. Lyon presented the following:

RESOLVED, pursuant to Section 804 of the Real Property Tax Law, that the following rates recommended by the County Equalization Committee of the Wayne County Board of Supervisors are hereby adopted and established as the County Equalization rates for the towns in Wayne County for the year 2009 to affect the 2010 County taxes:

Arcadia	100.00	Palmyra	100.00
Butler	89.00	Rose	100.00
Galen	100.00	Savannah	92.00
Huron	96.00	Sodus	100.00
Lyons	100.00	Walworth	100.00
Macedon	100.00	Williamson	96.00
Marion	100.00	Wolcott	93.00
Ontario	100.00		

and be it further

RESOLVED, in accordance with the provision of subdivision 2 of Section 804 of the Real Property Tax Law, that within five (5) days of the date of the adoption of this resolution, the Clerk of the Board shall transmit to each town, on a form prescribed by the State Board of Real Property Services, a written notification of the County equalization rate established for each town.

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

County Administrator Marquette addressed the Board regarding the necessity for the next three resolutions for the continuation into the next phase of the building relocation project.

RESOLUTION NO. 599-09: BOND RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, NEW YORK (THE "COUNTY"), AUTHORIZING THE ISSUANCE OF UP TO \$10,000,000 IN SERIAL BONDS OF THE COUNTY TO FINANCE THE COST OF RENOVATION AND CONVERSION OF THE FORMER WAYNE COUNTY NURSING HOME BUILDING TO OFFICE SPACE FOR USE BY VARIOUS COUNTY DEPARTMENTS

Mr. Lyon presented the following:

WHEREAS, the Board of Supervisors (the "Board") of Wayne County (the "County") is considering undertaking the renovation of the former Wayne County Nursing Home building located at 7312 Route 31, Lyons, New York, to consist of the partial demolition, renovation and equipping of the building for reuse as office space for various county departments, including (i) demolition of approximately 13,000 square feet of such existing building; (ii) internal renovations to approximately 97,636 square feet of space over three stories, including replacement of the heating system and the primary electrical and plumbing systems, new interior partitions, installation of an automatic sprinkler system, communications and data distribution systems, and a security system, and installation of additional insulation to exterior walls; (iii) exterior improvements including replacement of the existing roof, replacement of windows and entrances and restoration and/or replacement of damaged portions of the exterior walls; (iv) renovations to make the building handicapped accessible and to correct non-compliant building code issues, (v) construction of a surface parking area(s) for approximately 179 vehicles; (vi) related site work improvements, original furnishings, fixtures and equipment, and other incidental and appurtenant improvements, items and services (collectively, the "Project"); and

WHEREAS, the Board of Supervisors, by Resolution No. 561-09 adopted on August 18, 2009, determined pursuant to the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation promulgated there under

(collectively, "SEQRA"), that the Project constitutes an "unlisted action" within the meaning of SEQRA, and that it will not have a significant adverse impact on the environment, and issued a negative declaration to such effect under SEQRA; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the County's serial bonds or bond anticipation notes to finance said appropriation;

NOW THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, NEW YORK (the "County") HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

- Section 1. The County is hereby authorized undertake the Project, and to issue up to \$10,000,000 principal amount of serial bonds (the "Bonds"), or bond anticipation notes in anticipation of the Bonds, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance a portion of the estimated cost of the Project.
- Section 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$17,700,000, said amount, to the extent not previously appropriated, is hereby appropriated therefore. The plan for the financing thereof shall consist of (i) the issuance of up to \$10,000,000 in serial bonds of the County authorized to be issued pursuant to Section 1 of this resolution or bond anticipation notes issued in anticipation of the Bonds, and (ii) the expenditure of \$7,700,000 in current funds of the County available for such purpose as previously authorized by the Board.
- Section 3. It is hereby determined that the period of probable usefulness of the aforementioned specific objects or purposes is twenty-five (25) years, pursuant to subdivision a.12(a)(1) of Section 11.00 of the Law.
- Section 4. Pursuant to Section 107.00(d)(9) of the Law, current funds are not required to be provided in accordance with Section 107.00(b) of the Law prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof
- Section 5. The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in Section 1 of this resolution. The County shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.
- Section 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the real property within the County without legal or constitutional limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.
- Section 7. Subject to the provisions of this resolution and of the Law, pursuant to the

provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Section 63.00 of the Law, the powers and duties of the Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the County Treasurer of the County, as the chief fiscal officer of the County (the "County Treasurer").

- Section 8. The County Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.
- Section 9. The County Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.
- Section 10. The intent of this resolution is to give the County Treasurer sufficient authority to execute all applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Board.
- Section 11. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:
- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money; or
 - (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
 - (c) such obligations are authorized in violation of the provisions of the Constitution.
- Section 12. This bond resolution shall take effect immediately and the Clerk of the Board of Supervisors is hereby authorized and directed to publish the foregoing resolution in full, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the Times of Wayne County and Courier Gazette which newspapers are designated as the official newspapers of the County (a) for such publication, and (b) for the publication of the notice of sale in connection with any bonds issued pursuant to this resolution.

and be it further

RESOLVED, that this resolution shall take effect immediately.

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

There were several comments regarding the cooperative effort put forth for this project; county departments that will be relocating to the new facility, as well as the current economic conditions and the affects of how this project will impact taxpayers.

Mr. Fabino continued his request for the Board to look into the revitalization of buildings within the Village of Lyons for County utilization.

Upon roll call, all Supervisors voted Aye, except Supervisors Fabino and Hammond who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 600-09: AUTHORIZATION TO AMEND THE COUNTY BUDGET FOR THE OLD NURSING HOME RENOVATION PROJECT

Mr. Lyon presented the following:

WHEREAS, the County has been expending funds for the old Nursing Home renovation out of H1933-Building renovation Project; and

WHEREAS, the County will be tracking expenditures made against this project separately in a new project account named H1925-County Building Renovation (ONH); now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2009 County Budget as follows:

H1925-COUNTY BUILDING RENOVATION (ONH):

\$1,058,550.00 to .52800 A/E Design Fee
\$ 25,000.00 to .52801 A/E Reimbursable
\$ 340,000.00 to .52802 CM Fee
\$ 5,000.00 to .52803 CM Reimbursable
\$2,271,450.00 to .52813 General Trades

H1933-BUILDING RENOVATION PROJECT:

\$ 340,000.00 from .2571 Construction Manager
\$1,030,964.00 from .52574 Consultants-Managers
\$ 5,000.00 from .52583 Contingencies
\$2,324,036.00 from .52700 Capital Construction

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, all Supervisors voted Aye, except Supervisor Fabino who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 601-09: AUTHORIZATION TO UTILIZE A PORTION OF THE GENERAL FUND BALANCE TO OFFSET THE FINANCING AMOUNT OF THE OLD NURSING HOME RENOVATION PROJECT

Mr. Lyon presented the following:

WHEREAS, the County of Wayne is undertaking a renovation of the old Nursing Home for use by various county departments at an estimated cost of \$17,258,157; and

WHEREAS, the County has already appropriated \$3,258,157.00 towards the project and is desirous of utilizing an additional \$4,000,000.00 of Fund Balance to offset the finance amount; and

WHEREAS, the County will be tracking expenditures made against this project separately a new project account must be established; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$4,000,000.00 from the fund balance of the General Fund for this project; and further

RESOLVED, that the County Treasurer establishes and fund project H1925-County Building Renovation (ONH) as follows:

A9950-TRANSFER TO CAPITAL FUND PROJECT:

\$4,000,000.00 to .52775 County Building Renovation (ONH)

H1925-COUNTY BUILDING RENOVATION (ONH):

\$4,000,000.00 to .45031 Interfund Transfers
\$ 20,000.00 to .52804 Bonding Fee
\$ 15,000.00 to .52805 Postage and Printing
\$ 5,000.00 to .52806 Boring, Survey & Testing
\$ 20,000.00 to .52807 FF & E

\$ 25,000.00 to .52808 Owner's Insurance
 \$ 5,000.00 to .52809 Asbestos & Lead Testing
 \$ 25,000.00 to .52810 Asbestos Monitoring
 \$ 15,000.00 to .52811 Soft Cost Contingency
 \$ 616,560.00 to .52812 Design Contingency
 \$1,044,891.00 to .52813 General Trades
 \$ 20,000.00 to .52817 Misc
 \$1,975,547.00 to .52818 Contingency
 \$ 48,000.00 to .52819 Teledata Allowance
 \$ 150,000.00 to .52820 Access Control Allowance
 \$ 15,000.00 to .52821 Signage
 \$ 1.00 to .52822 Gas & Elec Temp Heat
 \$ 1.00 to .52823 Moving Allowance

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

RESOLUTION NO. 602-09: AUTHORIZATION TO AMEND THE COUNTY CORONERS 2009 BUDGET

Mrs. Bender presented the following:

WHEREAS, the amount of funds utilized this year to provide Coroners services will exceed the budgeted amount by years end a transfer of funds is required; now therefore be it

RESOLVED, that the County Treasurer is hereby directed to amend the Coroners 2009 budget as follows:

A1990-CONTINGENT FUND GEN:

\$30,000.00 from .54000 Contractual Expense

A1185-COUNTY CORONER:

\$30,000.00 to .54509 Autopsies

\$ 200.00 from .54485 Travel

\$ 731.00 from .58100 Payment to NYS Retirement

\$ 931.00 to .58400 Hospitalization

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

RESOLUTION NO. 603-09: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH THE COUNTY OF MONROE FOR A COMMUNICATIONS PROJECT

Mrs. Bender presented the following:

WHEREAS, the County of Monroe was awarded a grant as part of the Public Safety Interoperable Communications Program; and

WHEREAS, Board of Supervisors Resolution No. 903-08 previously authorized the County of Wayne's participation in the grant program, where each county surrounding Monroe will receive interoperable communications equipment at no direct County cost; and

WHEREAS, in association with the aforementioned grant program, the County of Monroe is requesting that each participating county enter into an Intermunicipal Agreement which specifies the work and obligations of the County of Monroe as the lead agency, as well as the obligations of each surrounding county regarding equipment installation, facilities and ownership; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an Intermunicipal Agreement with the County of Monroe relative to the County of Wayne's participation in the Regional Interoperable Communications Project, with such agreement subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 604-09: AUTHORIZATION TO RENEW WEBEOC SOFTWARE LICENSE FOR EMERGENCY MANAGEMENT OFFICE

Mrs. Bender presented the following:

WHEREAS, the Wayne County Emergency Operations Center (EOC) Grant Program uses WEBEOC, a Crisis Information Management Software System; and

WHEREAS, Wayne County is desirous of maintaining the Software License with associated 24 x 7 supports which is scheduled to end on December 31, 2009; now, therefore, be it

RESOLVED to authorize the Director of Emergency Management to renew said license, upon review and approval of the County Attorney, effective January 1, 2010 to December 31, 2010; and be it further

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

A3640 – EMERGENCY MANAGEMENT OFFICE:

\$12,000.00 to .43306 Nuclear Facility Support

\$12,000 to .54475 Software

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

RESOLUTION NO. 605-09: AUTHORIZATION TO PURCHASE SUPPLIES FOR WAYNE COUNTY EMERGENCY MANAGEMENT

Mrs. Bender presented the following:

WHEREAS, the State of New York has increased the license fee to Nuclear Facilities resulting in unanticipated additional revenues of \$167,400 to Wayne County, said revenues directed to Emergency Management by Article 2B of NYS Executive Law, to improve Emergency Management Operations, and

WHEREAS, the Wayne County Emergency Operations Center is need of certain supplies to maintain its operational readiness to respond to any type of emergency, radiological, or otherwise, and

WHEREAS, these supplies are either located in the field (Reception Centers) or will move into the new EOC, when completed, now, therefore, be it

RESOLVED that Wayne County Emergency Management is authorized to purchase such supplies as needed, prior to December 2009; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to amend the 2009 County Budget as follows:

A3640-EMERGENCY MANAGEMENT OFFICE:

\$7,913.00 to .43306 Nuclear Facility Support

\$7,913.00 to .54126 Field Supplies

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

RESOLUTION NO. 606-09: AUTHORIZATION TO REIMBURSE WAYNE COUNTY FOR COSTS ASSOCIATED WITH GINNA TRAINING AND EXERCISES

Mrs. Bender presented the following:

WHEREAS, the State of New York has increased the license fee to Nuclear Facilities resulting in unanticipated additional revenues of \$167,400 to Wayne County, said revenues directed to Emergency Management by Article 2B of NYS Executive Law, to improve Emergency Management Operations; and

WHEREAS, the Wayne County has historically absorbed the cost of training and exercise for Ginna by its employees; and

WHEREAS, this increase in funding now provides the opportunity for the county to be reimbursed for these costs; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to amend

the 2009 County Budget as Follows:

A3640-EMERGENCY MANAGEMENT OFFICE:

\$13,000.00 to .43306 Nuclear Facility Support

\$13,000.00 to .54600 Misc.

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

RESOLUTION NO. 607-09: AUTHORIZATION TO PURCHASE EQUIPMENT AND TRANSFER FUNDS FOR THE PROBATION DEPARTMENT

Mrs. Bender presented the following:

WHEREAS, Probation Officers, while acting as Peace Officers, are routinely executing personal and home searches; and

WHEREAS, Probation Officers, take into custody probationers who have violated conditions of their probation; and

WHEREAS, Probation Officers are authorized, qualified and routinely carry issued firearms; and

WHEREAS, the body armor maintain by the Probation Department have reached their expiration date; and

WHEREAS, there exists a need for Global Position Satellite (GPS) units in Probation vehicles; now, therefore be it

RESOLVED, that the Director of Probation is hereby authorized to purchase the following equipment at a cost not to exceed \$8,800:

10 vest @ \$800 each

3 GPS units @ \$200

Total transfer requested is \$8,800

and be it further

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

Account No. A3140 – Probation:

\$8,600 from 51308 (Probation Officer) to 52500 (Other Equipment)

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

RESOLUTION NO. 608-09: AUTHORIZATION TO CREATE PART-TIME ACCOUNT CLERK-CIVIL POSITION ON A TEMPORARY BASIS AT SHERIFF'S CIVIL OFFICE

Mrs. Bender presented the following:

WHEREAS, the Sheriff's Office is in need of additional clerical staff due to temporary staffing issues that have arisen; and

WHEREAS, the remaining Sr. Account Clerk is scheduled for leave due to personal circumstances; and

WHEREAS, it is necessary to have adequate and experienced staff within the Civil Division; and

WHEREAS, the Sheriff has an opportunity to re-employ an experienced individual on a part-time temporary basis until the personnel issues have been resolved; now, therefore, be it

RESOLVED, that one part-time Account Clerk-Civil position is hereby created;

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Sheriff's Office to re-hire the experienced individual effective September 15, 2009 at the hourly rate of \$16.595 reflecting the current job rate of that of an Account Clerk; and be it further

RESOLVED, that the part-time temporary position will be eliminated upon the return of the Sr. Account Clerk- Civil or the filling of this position on a permanent basis.

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

RESOLUTION NO. 609-09: AUTHORIZATION FOR LT. STEPHEN SKLENAR AND DEPUTY GILBERT STERK TO ATTEND PENNSYLVANIA STATE POLICE RECONSTRUCTION SEMINAR IN STATE COLLEGE, PA

Mrs. Bender presented the following:

WHEREAS, Lt. Stephen Sklenar and Deputy Gilbert Sterk are law Enforcement Reconstructionists have been certified to reconstruct accident scenes and this training would allow them to have the most update training available to the citizens of Wayne County. This training is being held September 29 through October 1, 2009 at the Ramada Inn and Conference Center Penn State, State College, Pennsylvania; and

WHEREAS, there is no registration cost involved in the attendance of this Conference and the cost would be for hotel stay and means in the approximate amount of \$500; now, therefore, be it

RESOLVED, that the Wayne County Office of Sheriff is hereby authorized and directed to enroll Sgt. Stephen Sklenar and Deputy Gilbert Sterk in the Pennsylvania State Police Reconstruction Seminar and pay for the associated costs as mentioned.

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

RESOLUTION NO. 610-09: AUTHORIZATION FOR THE SHERIFF AND CHAIRMAN TO SIGN INMATE HOUSING AGREEMENT WITH ONTARIO COUNTY SHERIFF'S OFFICE 2009

Mrs. Bender presented the following:

WHEREAS, Wayne County currently does not have a contract with Ontario County for the housing of inmates; and

WHEREAS, the Wayne County Sheriff has recommended that a contract for the housing of inmates be entered into with Ontario County; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and Wayne County Office of Sheriff are hereby authorized and directed to sign the housing agreement with Ontario County Sheriff for the housing of inmates at a cost of \$85/per day, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 611-09: AUTHORIZATION TO AWARD BIDS FOR DRY CLEANING SERVICES FOR SHERIFF'S DEPARTMENT

Mrs. Bender presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for sealed bids for dry cleaning services for the Wayne County Sheriff's Department in accordance with specifications prepared by the Sheriff's Department; and

WHEREAS, the following bid was received and opened on Friday, August 28, 2009 at 2:30 pm:

BIDDER: **STOTT'S CLEANERS**
 111 W. Shore Blvd.
 Newark, NY 14513

now, therefore, be it

Summer Uniform:	Short Sleeve Shirt	\$2.35
	Trouser	\$2.20
	Lightweight Nylon Jacket	\$1.90
Winter Uniform:	Long Sleeve Shirt	\$2.35
	Trouser	\$2.20

	Winter Jacket	\$1.90
	Tie	no charge
Court Attendant:	Blouse	\$2.35
	Blazer	\$2.35
Minor Alterations:	Per Piece (starting at)	\$1.50
	Second Year Annual Increase (in per cent)	5%
	Third Year Annual Increase (in per cent)	5%

now, therefore, be it

RESOLVED, that the bid submitted by Stott's Cleaners is hereby accepted for the period 10/01/09 – 9/30/10 with the option of two (2) renewal periods of one year each with a five (5) percent increase per year.

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

RESOLUTION NO. 612-09: AUTHORIZATION TO AWARD BIDS FOR UNIFORMS AND ASSOCIATED EQUIPMENT SERVICES FOR THE WAYNE COUNTY SHERIFF'S DEPARTMENT

Mrs. Bender presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for sealed bids for uniforms and associated equipment for the Wayne County Sheriff's Department in accordance with specifications prepared by the Sheriff's Department; and

WHEREAS, the following bid was received and opened on Friday August 28, 2009 at 2:00 pm:

BIDDER: **UNITED UNIFORM COMPANY, INC.**
 1855 Monroe Avenue
 Rochester, NY 14618

now, therefore, be it

RESOLVED, that the bid submitted by United Uniform Company, Inc 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 United Uniform company, Inc. for provision of uniforms and associated equipment services for the Sheriff's Department for the period 10/1/09 – 9/30/10 with the option of two (2) renewal periods of one year each; and be it further

RESOLVED, that said bid is itemized as follows:

BID FOR FIRST YEAR OF THE CONTRACT:

Item #1 Uniform Long Sleeve Shirt	
Black	\$43.75
White	\$41.75
Item #1a Uniform Long Sleeve Shirt (Optl)	
Black	\$52.95
White	\$41.75
Item #1b Long Sleeve Shirt (Optl)	
Black	\$43.75
White	\$41.75
Item #1c Long Sleeve Shirt (Optl)	
Black	\$54.95
Item#1d Long Sleeve Shirt (Women's) (Optl)	
Black	\$50.95

Item #2 Uniform Short Sleeve Shirt		
Black	\$40.75	
White	\$36.75	
Item #2a Uniform Short Sleeve Shirt (Optl)		
Black	\$50.75	
Item #2b Uniform Short Sleeve (Optl)		
Black	\$ 40.75	
White	\$ 34.75	
Item #2c Uniform Short Sleeve (Optl)		
Black	\$ 54.75	
Item #2d Uniform Short Sleeve (Woman's) (Optl) Black		\$ 54.75
Item #3 Uniform Long Sleeve Shirt (Men's/Woman's) Silver Grey		\$39.75
Item #4 Uniform Short Sleeve Shirt (Men's/Woman's) Silver Grey		\$37.75
Item #5 Uniform Trousers – Year Round (Men's Woman's) Black		\$52.75
Item #5a Uniform Trousers – (Optional)		
Men's/Woman's Black	\$47.75	
Item #5b Uniform Trousers – (Optional)		
Men's/Woman's Black	\$50.75	
Item #5c Uniform Trousers – (Optional)		
Men's/Women's Black	\$36.75	
Item #5d Uniform Trousers (Optional)		
Men's/Women's Black	\$ 40.75	
Item #6 Uniform All-Season Jacket		
Black	\$215.75	
Item #6a Uniform All-Season		
Convertible Jacket (Optional) Black	\$78.75	
Item #6b Uniform All-Season		
Convertible Jacket (Optional) Black	\$78.75	
Item #6b Uniform All-Season		
Convertible Jacket (Optional) Black	\$ 95.75	
Item #7 Uniform Fatigue Lg Sleeve Shirt		
Silver-Grey	\$14.75	
Item #8 Uniform Fatigue Sht Sleeve Shirt		
Silver-Grey	\$14.75	
Item #8a Uniform Fatigue		
SSleeve Shirt (Optional)	\$ 36.75	
Item #9 Uniform Fatigue Trouser	\$35.75	
Item #9a Uniform Fatigue Trouser		
(Optional)	\$ 47.75	
Item #10 Raincoat Lightweight Nylon Rev		
Black/High Visibility Yellow	\$89.75	
Item #10a Raincoat Lightweight Nylon Rev		
(Optional) Black/ High Visibility Yellow	\$84.75	
Item #11 Uniform Shorts Black	\$44.75	
Item #11a Uniform Shorts Black	\$44.75	
Item #12 Reflective Safety Vest		
Fluorescent Yellow	\$52.75	
Item #12a Reflective Safety Vest		
Fluorescent Yellow Ansi II	\$62.75	
Item #12a Reflective Safety Vest		
Fluorescent Yellow	\$ 29.75	
Item #13 Necktie–Knit–Pre-Tied Black	\$5.75	
Item #14 Uniform Fatigue Cap Black	\$8.75	
Item #15 Stripes - Uniform Sergeant		

Black/Gold	\$1.75
Item #16 Key Strap	
Plain Black/Gold Snap S-501-1	\$5.75
Item #17 Garrison Belt	
Plain Black/ Gold Buckle	\$11.75
Item #18 Gunbelt Plain Black-	\$46.75
Item #19 Holster	
Plain Black	\$108.75
Item #20 Cartridge Holder	
Plain Black	\$112.75
Item #20a Holster	
Plain Black	\$ 105.75
Item #20b Holster	
Plain Black	\$ 108.75
Item #21 Cartridge Holder Case	
Plain Black	\$16.75
Item #21a Cartridge Holder	
Safariland	\$ 27.75
Item #22 Magazine Holder	
Plain Black	\$24.75
Item #23 Handcuff Case	
Plain Black with Gold Snap	\$23.75
Item #24 Keeper Strap	
Plain Black with Gold Strap.	\$2.75
Item #25 Handcuff	
Standard 10 Oz. Perless	\$22.75
Item #26 Shirt Badge	\$60.75
Item #26a Shirt Badge	\$63.75
Item #26b Wallet Badge	\$ 58.75
Item #27 Name Tag	\$8.75
Item #28 Collar Device	\$6.50
Item #28a Collar Device "K-9"	\$ 6.50
Item #29 Service Pin	
Gold - Black Lettering	\$7.75
Item #30 Night Stick Holder	\$ 8.00
Item #31 Baton	\$41.75
Item #32 Hat Protector	\$5.00
Item #33 Tie Tack	\$8.50
Item #34 Winter Boot – Plain Black Insulted	
Bates 2500 Mens' or Appr'd Eq	\$ 114.75
Item #34a Winter Boot–Plain Black Insulted	
(Optional) Plain Black	\$ 119.75
Item #35 Summer Boot - Bates	
Man's Plain Black	\$86.75
Woman's Plain Black	\$86.75
Item #35a Summer Boot	
Man's Plain Black	\$ 79.75
Woman's Plain Black	\$ 79.75
Item #36 Chukka Boot	
Man's Plain Black	\$77.75
Item #36a Chukka Boot (Optional)	
Man's Plain Black	\$ 104.75
Item #37 Low-Quarter Dress	
Plain Black	\$82.75

Item #37a Low-Quarter Special Use Black	\$ 58.75
Item #38 Hat, Uniform Stratton Trooper–Blk-No Grommet	\$69.75
<u>Emblems</u>	
Emb #1	\$3.75
Emb #1a	\$3.25
Emb #2	\$2.75
Emb #3	\$2.75
Emb #4	\$3.25
Emb #5	\$3.25
Emb #6	\$3.25
Second Year	
Annual Increase (In Percent)	2.5%
Third Year	
Annual Increase (In Percent)	3.0%

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

RESOLUTION NO. 613-09: AUTHORIZATION TO CREATE PLANNER-TRAINER POSITION FOR EMERGENCY MANAGEMENT AND AMEND BUDGET

Mrs. Bender presented the following:

WHEREAS, the Emergency Management Training Officer position was reduced from Full Time to Part Time in 2008; and

WHEREAS, Emergency Management is required by law to create and maintain emergency response plans, appendices, and annexes; as well as develop and deliver training in emergency response to various community and emergency service agencies throughout the county; and

WHEREAS, federal and state compliance requirements are changing on a continual basis; and

WHEREAS, the ability to create and maintain the preponderance of plans, appendices, and annexes, as well as train the various emergency response agencies cannot be adequately supported by the current size of the Emergency Management Staff; and

WHEREAS, the State of New York has realized that At-Risk Counties within New York State have had inadequate funding levels to support adequately staffed Emergency Management Departments to accomplish these requirements; and

WHEREAS, the State of New York has increased the license fee to Nuclear Facilities, including the Robert E. Ginna Nuclear Power Plant, of which, a portion of said fee is paid to Wayne County, directed to Emergency Management; and

WHEREAS, the increase in said fee is more than adequate to fund this position on an annual basis; now, therefore, be it

RESOLVED, that the position of Emergency Management Planner-Trainer is hereby created; and be it further

RESOLVED, that the position be established at Labor Grade 25; and be it further

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

A3640-EMERGENCY MANAGEMENT OFFICE:

\$13,431 to .43306 Nuclear Facility Support

\$8,302 to .51920 Planner-Trainer

\$834 to .58100 Retirement

\$615 to .58200 Social Security

\$3,842 to .58400 Hospitalization

\$39 to .58600 Disability

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

RESOLUTION NO. 614-09: AUTHORIZATION TO FUND EMS TRAINING WITH TWIG TRUST FUNDS

Mrs. Bender presented the following:

WHEREAS, the Myers Hospital TWIG trust was established in an effort assist with funding to further emergency medical service continuing education in the county, and

WHEREAS, the following continuing medical education class is proposed:

Early Impact BLS-EMS and Early Impact ALS-EMS

October 1, 2009

Presenter: Dr. Jamie Syrett

now, therefore, be it

RESOLVED, that payment of a speaker's fee of \$125, using Myers TWIG trust funds, shall be authorized for presenter Dr. Jamie Syrett, upon completion of the aforementioned continuing education training class, and submission of an invoice by the presenter.

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

RESOLUTION NO. 615-09: AUTHORIZATION TO AWARD BIDS FOR PURCHASE AND INSTALLATION OF BOAT HOIST FOR SODUS POINT SHERIFF'S MARINE STATION

Mrs. Bender presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for sealed bids for the purchase and installation of a boat hoist located at the Wayne County Sheriff's Sodus Point Marine Station, in accordance with specifications prepared by the Sheriff's Department; and

WHEREAS, the following bid was received and opened on Monday, August 31, 2009 at 2:00 pm:

<u>BIDDER:</u>	Krenzer Marine	\$14,500.00
	8495 Greig Street	
	Sodus Point, NY 14555	

now, therefore, be it

RESOLVED, that the bid submitted by Krenzer Marine for \$14,500.00 is hereby accepted; and be it further

RESOLVED, that up to 75% of the associated cost is to be covered by grant funding, with a total county reimbursement of \$10,875.

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

RESOLUTION NO. 616-09: AUTHORIZATION TO APPROVE CHANGE ORDER NO. 1 ON SCREENINGS BUILDING PROJECT

Mr. LeRoy presented the following:

WHEREAS, Barton and Loguidice had approved shop drawings for Nicoletta Building Contractors, Inc. and

WHEREAS, said shop drawings proved to be incorrect after fabrication of the approved products; and

WHEREAS, Barton and Loguidice has corrected the shop drawings and agreed to compensate the contractor for the approved change order; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign Change Order No. 1 with Nicoletta Building Contractors, Inc. in the amount of \$ 3,520.33,

subject to approval of the County Attorney as to form and content; and be it further
RESOLVED, that the Superintendent of Buildings and Grounds shall deduct the amount of \$3,520.33 from the next Barton and Loguidice invoice, against their billable hours earned on the project.

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

RESOLUTION NO. 617-09: AUTHORIZATION TO REJECT BIDS FOR THE RIDGE ROAD REHABILITATION PROJECT AND AUTHORIZATION TO RE-ADVERTISE FOR BIDS

Mr. LeRoy presented the following:

WHEREAS, the bid documents for this project did not clearly describe how the bids/alternates would be awarded; and

WHEREAS, the NYSDOT suggested that the FHWA may not approve the award based on the lowest alternate bid; and

WHEREAS, the bids received were well below the approved NYSDOT project budget so the limits of work can be extended when the project is re-bid; now, therefore, be it

RESOLVED, that the bids submitted by Midland Asphalt Materials Inc. and Suit-Kote Inc. are hereby rejected; and be it further

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to re-advertise for bids for the Ridge Road rehabilitation project, in accordance with revised specifications and approved by the NYSDOT and the Highway Superintendent and subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 618-09: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH LU ENGINEERS FOR THE CONSTRUCTION ADMINISTRATION SERVICES FOR THE ATLANTIC AVENUE & PAVEMENT RESURFACING STIMULUS PROJECTS

Mr. LeRoy presented the following:

WHEREAS, the Atlantic Avenue Rehabilitation Project and the Newark-Marion Road and Lake Bluff Road resurfacing projects are all funded with Stimulus Funds; and

WHEREAS, the Federal Regulations require full-time construction inspection to document the contractor's work; and

WHEREAS, the NYSDOT has performed the consultant selection process for all of the projects within the Region and Lu Engineers was selected to inspect these projects; and

WHEREAS, Lu Engineers has provided a not-to-exceed fee of \$5000 for the Atlantic Avenue Project and \$5000 for the Newark-Marion Road and Lake Bluff Road Resurfacing Project; and

WHEREAS, the project budgets currently have enough funds to include the Construction Inspection costs; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Lu Engineers for the Construction Administration Services for the replacement of the Atlantic Avenue and Pavement Resurfacing Stimulus Projects.

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

RESOLUTION NO. 619-09: AUTHORIZATION TO AMEND BUDGET FOR COUNTY SIGNAGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, the project began in 2005 when the signage study on County roadways was initiated under resolution # 225-05 and \$172,000 and amended resolution #489-05 to \$172,500

was established in a project account. Resolution #576-07 allowed another \$102,500 to be included in the project based on a \$275,000 grant; and

WHEREAS, the contract with NYSDOT was executed for \$275,000 and Federal Funds were committed on October 11, 2006. Any work done prior to that date is ineligible for reimbursement; and

WHEREAS; a total of \$157,831.53 was paid to Lu Engineers for the signage survey on County roadways before the October 11, 2006 commitment date with an additional \$20,165.48 was paid to Lu Engineers after the commitment date for a total of \$177,997.01; and

WHEREAS; a total of \$121,136.65 was paid to the Towns for reimbursements for their sign studies making the total project cost to date \$299,133.66; and

WHEREAS an amount of \$83,750.05 remains to be claimed from the NYSDOT for the grant, which will be used to construct and install signage along County roadways as identified by the Lu Engineers signage survey, and

WHEREAS, the D Fund is going to be short \$157,831.53 for funds not reimbursed as previously acknowledge in the resolutions passed; now, therefore be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$157,831.53 from the General Fund Contingent Account as follows:

A1990-Contingent General Fund

\$157,831.53 from .54000 Contractual Expense

A9901-Interfund Transfers

\$157,831.53 to .59300 Transfer-County Road Fund

D9999-Other

\$157,831.53 from .44512 Federal Aid Walsh

\$157,831.53 to .45031 Interfund Transfers

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

RESOLUTION NO. 620-09: RESOLUTION REQUESTING GOVERNOR PATERSON AND NEW YORK STATE LEGISLATURE TO ADVANCE FUNDING AND EXPEDITE THE TIMETABLES TO COMPLETE THE APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

(Corridor U-1 I-99 and Corridor T I -86)

Mr. LeRoy presented the following:

WHEREAS, Previous Governors have made commitments to the revitalization and improvement of the economy of Upstate New York; and

WHEREAS, U.S. Route 15 (I-99) Corridor U-1 and U.S. Route 17 (I-86) Corridor T are New York State's section of the thirteen state Appalachian Development Highway System (the "ADHS") and as such are eligible for Appalachian funding; and

WHEREAS, completing the I-99 U-1 Corridor fulfills the desires of both the Commonwealth of Pennsylvania and the State of New York to accelerate economic development opportunities in this area of Appalachia as well as respond to the increasing traffic volumes (primarily commercial vehicles) in the Route 15 Corridor since the passage of the North American Free Trade Agreement; and

WHEREAS, U.S. Route 15 is the only north/south route in Central Pennsylvania that serves as a vital and direct link between western New York and Canada and the ports of Baltimore and Philadelphia and the mid-Atlantic states; and

WHEREAS, completing Corridor T, which terminates in Broome County at I-81, and the U-1 Corridor in Steuben County will complete the ADHS in New York State; and

WHEREAS, the Pennsylvania Department of Transportation has projected a completion date for the conversion of Route 15 to Interstate standards (I-99) to the New York State border by the end of 2012; and

WHEREAS, the designation of New York State Route 17 to I-86 and Route 15 to I-99 will provide a highway network with connection to every Interstate Highway located within New York State and Interstates leading into Pennsylvania; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors urges the Governor and the

New York State Legislature to advance funding necessary to expedite the time tables set forth and complete the Corridor U-1, I-99, and Corridor T, I-86, projects in New York State and meet the Pennsylvania Department of Transportation's timetable; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to forward a certified copy of this resolution to (state and federal elects).

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

RESOLUTION NO. 621-09: AUTHORIZE COUNTY TREASURER TO DISBURSE SNOWMOBILE TRAILS FUNDING TO SNOWMOBILE CLUBS

Mr. Spickerman presented the following:

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

WHEREAS, Wayne County applied for 2008-2009 aid through the NYS Office of Parks, Recreation and Historic Preservation, and has been designated to receive a total of \$61,275 in allowable grant funds for the purpose of maintaining and developing approved snowmobile trails within the County; and

WHEREAS, the Snowmobile Clubs have provided sufficient documentation for \$60,518.37 of trail development and maintenance activities; and

WHEREAS, New York State has audited and approved the documentation of expenditures by the Clubs; now, therefore, be it

RESOLVED that the Wayne County Treasurer is hereby authorized to distribute upon its receipt the

\$ 17,625.87 (30%) as follows:

Lakeshore Snow Devils	\$5,635.00
Old Erie Riders, Inc.	\$1,106.27
Canaltown Snowmobilers, Inc.	\$2,716.60
Webster Ridge Runners	\$2,196.00
Williamson Drift Riders	\$5,972.00

Supervisor Plant was pleased to report the improvements regarding obeying the laws in the Town of Walworth by Snowmobilers.

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

RESOLUTION NO. 622-09: SUPPORT EXTENDED PRODUCER RESPONSIBILITY LEGISLATION

Mr. Spickerman presented the following:

WHEREAS, according to the U.S. Environmental Protection Agency, manufactured goods and packaging constitute approximately 75 percent of materials managed by solid waste facilities in the United States, with related disposal costs being borne by residents and localities that manage solid waste; and

WHEREAS, costs for continued management of hazardous materials and products that are difficult to recycle are expected to continue to rise; and

WHEREAS, neither public nor private solid waste managers have input into the design and/or marketing of these products, nor do they benefit from their sale; and

WHEREAS, a movement in the direction of Extended Producer Responsibility has begun in New York State to encourage manufacturers to take responsibility for management of post-consumer products by incorporating the cost of recycling and disposal in product prices, as well as to encourage design and manufacture of products that are less toxic, more durable and easier to repair and recycle; and

WHEREAS, the New York State Association for Solid Waste Management has formed the New York Product Stewardship Council to assist in formulating state legislation to enact

Extended Producer Responsibility legislation; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby supports Extended Producer Responsibility legislation and urges the Governor and the State Legislature to adopt said legislation; and be it further

RESOLVED, that certified copies of this resolution shall be delivered to Governor David Paterson, Senator Michael Nozzolio, Assemblyman Robert Oaks, the New York State Association of Counties and the New York State Association for Solid Waste Management.

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

RESOLUTION NO. 623-09: AMEND PRELIMINARY ENGINEERING AGREEMENT WITH CSX TRANSPORTATION FOR THE PROPOSED LYONS AMTRAK STATION

Mr. Spickerman presented the following:

WHEREAS, Resolution No. 420-05 authorized Wayne County to enter into a Preliminary Engineering Agreement ("the Agreement") with CSX Transportation ("CSX"), which provides for the review of proposed plans for the Lyons Amtrak Station; and

WHEREAS, the Agreement authorized Wayne County to reimburse CSX up to \$10,000 for the costs it incurred for the review of plans and designs connected to the Lyons Amtrak Passenger Rail Station; and

WHEREAS, the Planning Director has received notice from CSX that the \$10,000 has been exhausted and further review of plans and schematic designs is contingent upon the approval and execution of an amendment to the Agreement authorizing the expenditure of an additional \$15,000 for pending review activities; now, therefore be it

RESOLVED, that the Chairman of the Board is authorized and directed to execute an amendment to the Agreement authorizing an additional expenditure of \$15,000 on behalf of Wayne County, 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 payment to CSX in the amount of \$15,000 for review costs is approved and that payment shall be made from Account No. H5902.2573 (Amtrak Station – Architect and Engineering) from grant funds provided to Wayne County for the design and construction of the Lyons Amtrak Station.

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

RESOLUTION NO. 624-09: AUTHORIZATION FOR DIRECTOR OF TOURISM AND PROMOTION TO ATTEND TRADESHOW

Mr. Spickerman presented the following:

WHEREAS, Finger Lakes Tourism Alliance is purchasing tradeshow space for the National Women's Show in Toronto October 22-25, 2009 and is seeking staffing which would benefit Wayne County; now, therefore, be it

RESOLVED, that the Director of Wayne County Office of Tourism and Promotion is hereby authorized to attend the tradeshow in Toronto on October 22-25, 2009, at a cost not to exceed \$535.00.

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

RESOLUTION NO. 625-09: AFFIRMATION OF PUBLIC AND COMMUNITY SUPPORT FOR B. FORMAN PARK EROSION CONTROL PROJECT

Mr. Spickerman presented the following:

WHEREAS, B. Forman Park (the "Park") is Wayne County's most heavily used public park; and

WHEREAS, the Park contains significant historic buildings and a beautiful Lake Ontario shoreline; and

WHEREAS, the current rate of erosion along the Lake Ontario shoreline has washed

away a significant amount of the parkland; and

WHEREAS, if this erosion problem is not addressed, Wayne County's most popular park will continue to rapidly diminish in size, ultimately threatening historic structures and significantly reducing open space available for public recreation; now, therefore, be it

RESOLVED, that the Board of Supervisors recognizes the historic and recreational significance of B. Forman Park and its importance to the residents of Wayne County and the public and community support for the installation of suitable erosion control measures to mitigate the loss of this valuable and irreplaceable public park property.

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

RESOLUTION NO. 626-09: RESOLUTION AMENDING RESOLUTION 634-04 REGARDING THE ESTABLISHMENT OF THE COUNTY CULTURAL DIVERSITY TASK FORCE AND CHANGING THE COMPOSITION OF THE TASK FORCE

Mrs. Collier presented the following:

WHEREAS, Wayne County Cultural Diversity Task Force was established by resolution on September 21, 2004; and

WHEREAS, the composition of the Task Force included a number of County Government Department Heads and Officials; and

WHEREAS, the Chairman of the Board of Supervisors, the Human Resources Director, and the County Administrator have attended the recent meetings of the Task Force; and

WHEREAS, the county representatives have discussed with the other members of the County Cultural Diversity Task Force who were in attendance a possible restructuring of the Task Force relative to county representation; and

WHEREAS, at the Task Force's meeting of August 12, 2009, it was decided that the composition of the Task Force relative to county government would be changed; now therefore be it

RESOLVED, that the Wayne County Cultural Diversity Task Force shall be comprised of 12 members and shall include the following in its membership:

1. Chairman of the Board of Supervisors
2. Wayne County Administrator
3. Wayne County Human Resources Director
4. A Representative of a New York State Law Enforcement Agency
5. A Representative of Handicapped Groups
6. Three Representatives of Diversity Groups
7. Three Members at Large-Citizens of Wayne County
8. A Member from Wayne County Action Program

and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to appoint new members to the Task Force as vacancies occur; and be it further

RESOLVED, that at the request of the County Administrator, Wayne County Department Heads and other county employees may assist the Cultural Diversity Task Force to provide input to the Task Force and with organized and approved efforts to recruit potential applicants for county positions.

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

RESOLUTION NO. 627-09: AUTHORIZING TRANSFER OF LEAVE TIME FOR NURSING HOME EMPLOYEE

Ms. Park presented the following:

WHEREAS, a Wayne County Nursing Home employee is desirous to donate his designated vacation leave time to a Nursing Home co-worker in order to help her extend and cover leave time necessary for personal circumstances:

The following employee listed below donates vacation leave hours as noted:

David Wells 88 hours Annual Leave
now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to transfer a total of 88 hours of leave time to Ellen Kenville; and be it further

RESOLVED, that the hours will not be returned to said donor.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, all Supervisors voted Aye, except Supervisors Hammond, Lyon and Plant. The Chairman declared the Resolution adopted.

RESOLUTION NO. 628-09: AUTHORIZING CONTRACT FOR PSYCHOLOGICAL SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the nursing home residents would greatly benefit from in house psychological services being provided; and

WHEREAS, the Wayne County Nursing Home recommends that a contract be authorized with CHE Senior Psychological Services at no cost to the facility; and

WHEREAS, CHE Senior Psychological Services will bill the resident &/or insurance directly for services rendered; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute an agreement with CHE Senior Psychological Services effective October 1, 2009 – December 31, 2010 subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 629-09: AUTHORIZATION TO CONTRACT WITH TODAY'S OPTION FOR WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, Wayne County offers Today's Option, a Medicare Advantage plan; and

WHEREAS, Wayne County Nursing Home would like to contract with Today's Option for the provision of preferred provider services; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to contract with Today's Option, subject to the County Attorney's approval as to form and content, at the Medicare CMS rates.

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

RESOLUTION NO. 630-09: AUTHORIZATION TO AMEND 2009 BUDGET FOR THE WAYNE COUNTY NURSING HOME- TRANSFER OF BUDGETED FUNDS BETWEEN LINE ITEMS

Ms. Park presented the following:

WHEREAS, the Comptroller of the Wayne County Nursing Home has been in said position for a period of 6 months; and

WHEREAS, the Budget for In-service is not sufficient to meet the needs of the nursing home finance department; and

WHEREAS, this was an unexpected expense for the current Fiscal Year; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2009 Nursing Home budget as follows:

Account No. E6000-NH Combined

\$1,463 from E60004-54880-E6010

\$1,463 to E60004-54880-E8310

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

RESOLUTION NO. 631-09: AUTHORIZATION TO AMEND RES. NO. 257-09 AUTHORIZING

CONTRACTS WITH PROVIDERS OF THE RELATED SERVICES FOR PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS TO ADD THE FOLLOWING SERVICES

Ms. Park presented the following:

WHEREAS, Resolution No. 257-09 authorized contracts with providers of Related Services for Preschool Children with handicapping Conditions; and

WHEREAS, the County must contract for the provisions of related services for preschool-aged children with handicapping conditions; and

WHEREAS, Wayne CAP has requested to provide the following service:

2:1 aide service at a rate of \$8.00 per one hour session

now, therefore, be it

RESOLVED, the Chairman of the /Board of Supervisors is hereby authorized to amend the contract with Wayne CAP to add the following related service: 2:1 aide service at a rate of \$8.00 per one hour session, subject to the County Attorney's approval as to content and form, for the period of 7/1/09 – 6/30/11

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

RESOLUTION NO. 632-09: AUTHORIZATION TO SIGN MEMORANDUM OF UNDERSTANDING WITH WAYNE CAP'S AMERICORPS PROGRAM

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) would like to receive an AmeriCorps volunteer for a 12-month period to assist with the upcoming seasonal and H1N1 influenza season, the federal stimulus grants projects (Healthy Communities Building Capacity Initiative, Adult Immunization, and EI stimulus package); and

WHEREAS, the AmeriCorps volunteer is obligated to work 1700 hours over a 12-month period; and

WHEREAS, the AmeriCorps volunteer has to complete their 1700 hours prior to September 30, 2010; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to sign the Memorandum of Understanding with the Wayne CAP AmeriCorps program so that WCPH can obtain the assistance needed to manage the upcoming influenza season and the federal stimulus projects soon to be released.

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

RESOLUTION NO. 633-09: AUTHORIZATION TO AMEND THE 2009 BUDGET TO CREATE REVENUE AND EXPENSE LINES FOR H1N1 EMERGENCY PREPAREDNESS FUNDING FROM NYSDOH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) will be receiving two phases of H1N1 Emergency Preparedness money totaling \$76,418 to educate the public and to plan and conduct H1N1 clinics for the fall and winter of 2009 – 2010; and

WHEREAS, WCPH has already started planning and performing/preparing public health education materials regarding H1N1 influenza; and

WHEREAS, WCPH wishes to add the revenue and expense lines to the 2009 budget with the amount of \$10,000 to expend on health education materials, advertising, and to plan and conduct H1N1 clinics in 2009; now, therefore, be it

RESOLVED, the Wayne County Treasurer is authorized to amend the 2009 budget as follows:

A4011-PUBLIC HEALTH SERVICES:

\$10,000.00 to .44628 Swine Flu H1N1

\$10,000.00 to .54444 H1N1 Swine Flu

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

RESOLUTION NO. 634-09: AUTHORIZATION TO AMEND THE 2009 BUDGET FOR THE FEDERAL STIMULUS ADULT IMMUNIZATION PROGRAM

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) will be receiving \$20,000 to plan and conduct adult Zostavax, HPV, and Tdap immunization clinics; and

WHEREAS, planning meetings are already being conducted for such immunization clinics; and

WHEREAS, WCPH requests that \$2,140.00 be put in the newly created Immunization Stimulus revenue and expense lines to cover such costs; now, therefore, be it

RESOLVED, the Wayne County Treasurer is hereby authorized to amend the 2009 budget as follows:

A4011-PUBLIC HEALTH SERVICES:

\$2,140.00 to .44626 - Immunization Stimulus

\$2,140.00 to .54447 - Immunization Stimulus

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

RESOLUTION NO. 635-09: AUTHORIZATION TO AMEND THE 2009 BUDGET TO CREATE REVENUE AND EXPENSE LINES FOR THE HEALTHY COMMUNITIES CAPACITY BUILDING INITIATIVE

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) will be receiving \$34,000 from the NYS Department of Health to plan for an environmental or policy change to increase physical activity and healthy nutritional intake; and

WHEREAS, the \$34,000 is to be used to attend trainings, conduct a community assessment, and to conduct meetings from 8/1/09 till 3/31/10; and

WHEREAS, WCPH will need to attend mandated trainings and conduct meetings this fall; and

WHEREAS, WCPH already has newly created obesity revenue and expense lines for the 2010 budget and wishes to use the same identifying numbers for 2009; now, therefore, be it

RESOLVED, the Wayne County Treasurer is hereby authorized to amend the 2009 budget as follows:

A4011-PUBLIC HEALTH SERVICES:

\$5,000.00 to .44627 Obesity

\$5,000.00 to .54449 Obesity

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

RESOLUTION NO. 636-09: AUTHORIZATION TO AMEND THE 2009 BUDGET TO INCREASE PUBLIC RELATIONS LINE FOR THE CERTIFIED HOME HEALTH AGENCY

Ms. Park presented the following:

WHEREAS, the 21st Century Committee has decided to allow the certified home health agency time to increase unduplicated case numbers; and

WHEREAS, the certified home health agency has a remaining amount of \$2,869.74 in the Public Relations line in the 2009 budget; and

WHEREAS, the certified home health agency has \$6,200.00 available in motor vehicles and is requesting this \$6,200.00 to be transferred to the Public Relations for adequate marketing for the rest of 2009; now, therefore, be it

RESOLVED, the County Treasurer is hereby authorized to amend the 2009 budget as follows:

A4019-WAYNE COMMUNITY NURSING CARE

\$6,200.00 from .52300 Motor Vehicles

\$6,200.00 to .54527 Public Relations

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

adopted.

RESOLUTION NO. 637-09: AUTHORIZATION TO AMEND RELATED SERVICES CONTRACT WITH MELISSA A. RICE

Ms. Park presented the following:

WHEREAS, the County has a contract for the provisions of related services for preschool-age children with handicapping conditions with Melissa A. Rice for the period 7/1/09 – 6/30/11; and

WHEREAS, Ms. Rice recently has become incorporated under the name Breaking Boundaries Occupational Therapy Services, PLLC effective 8/3/09 and has been approved by NYSDOH effective 8/11/09 to offer services under the incorporated name; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to amend the contract with Melissa A. Rice changing the name to the incorporated name of Breaking Boundaries Occupational Therapy Services, PLLC, 8 Merchants Road, Rochester, NY 14609, subject to the County Attorney's approval as to form and content. Services provided remain the same.

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

RESOLUTION NO. 638-09: AUTHORIZATION TO AMEND EARLY INTERVENTION CONTRACT WITH MELISSA A. RICE

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has an Early Intervention contract with Melissa A. Rice for the period 7/1/09 – 6/30/11; and

WHEREAS, Ms. Rice has become incorporated under the name Breaking Boundaries Occupational Therapy Services, PLLC effective 8/3/09 and has been approved by NYSDOH to offer services under the incorporated name effective 8/11/09; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to amend the contract with Melissa A. Rice changing the name to the incorporated name of Breaking Boundaries Occupational Therapy Services, PLLC, 8 Merchants Road, Rochester, NY 14609, subject to the County Attorney's approval as to form and content. Services provided remain the same.

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

RESOLUTION NO. 639-09: AUTHORIZATION TO CONTRACT WITH REGISTERED NURSE TO ASSIST WITH H1N1 CLINICS

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) will be conducting several H1N1 influenza clinics in the fall of 2009 through the spring of 2010; and

WHEREAS, WCPH would like to contract with Dorothy VanEe, Registered Nurse, at \$26.40 per hour, to attend H1N1 influenza clinic planning meetings and to work H1N1 influenza clinics from October 1, 2009 till April 30, 2010; and

WHEREAS, Ms. VanEe will be responsible for assisting with setting up and tearing down clinics and to assess clients for risk factors and administer the H1N1 to identified clients; and WHEREAS, Wayne County has agreed to waive the insurance indemnification requirement; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Dorothy VanEe, RN, 8212 S. Shore Rd, Sodus, NY 14551, to assist with H1N1 clinics from October 1, 2009 till April 30, 2010, for \$26.40 per hour worked, not to exceed \$9600, with approval from the County Attorney as to content and form.

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

RESOLUTION NO. 640-09: AUTHORIZATION TO CREATE A PART-TIME MEDICAL DIRECTOR POSITION FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) is mandated by the NYS Department of Health to have a Medical Physician identified as the Medical Director of the local health department; and

WHEREAS, WCPH wishes to create a part-time Medical Director position to meet this mandate; and

WHEREAS, the Medical Director function was previously performed by an individual on a professional services contract; and

WHEREAS, it is prudent to perform this function with a budgeted part time position at no additional compensation to the individual; and

WHEREAS, WCPH has identified a NYS licensed physician who has received approval from the NYS Department of Health to perform such duties for WCPH; now, therefore, be it

RESOLVED, the Director of Wayne County Public Health is hereby authorized to create and fill the part-time Medical Director position for an amount not to exceed \$10,500 per year starting on October 1, 2009 and to amend the 2009 budget as follows:

From 40194. 54500 - \$2500

To 40101. 51458 - \$2500

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

RESOLUTION NO. 641-09: AUTHORIZATION TO ESTABLISH FLU & PNEUMONIA VACCINATION RATES FOR 2009-2010 SEASON

Ms. Park presented the following:

WHEREAS, the Public Health department establishes annual rates for flu and pneumonia vaccination clinics; and

WHEREAS, the department sets rates based on Medicare reimbursement rates established for New York residents; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to establish the following rates:

Flu vaccine \$13.43, administration \$19.57, total \$33.00 per vaccination

Pneumonia vaccine \$37.43, administration \$19.57, total \$57.00 per vaccination

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

RESOLUTION NO. 642-09: AUTHORIZATION TO SET SALARY FOR STAFF PSYCHIATRIST POSITION FOR THE WAYNE COUNTY DEPARTMENT OF MENTAL HEALTH

Ms. Park presented the following:

WHEREAS, a confidential-management position, Staff Psychiatrist, vacancy exists in the Wayne County Department of Mental Health; and

WHEREAS, the County Administrator anticipates authorizing the advertising and refilling of the position effective September 15, 2009; and

WHEREAS, no formal classification or salary schedule exists for management and confidential employees; and WHEREAS, the County anticipates developing such a schedule in the future; and

WHEREAS, the County Administrator does not have the authority to set salaries without a Board of Supervisors approved salary schedule; and

WHEREAS, the County Administrator has recommended a starting salary for this position consistent with the 2009 approved budget; and

WHEREAS, the department needs to recruit for, and fill the position; now, therefore, be it RESOLVED, that the salary for the vacant Staff Psychiatrist position is hereby established

up to \$179,923 per year.

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

RESOLUTION NO. 643-09: AUTHORIZATION TO AMEND MENTAL HEALTH DEPT. 2009 BUDGET

Ms. Park presented the following:

WHEREAS, the Mental Health Department's 2009 Budget had originally planned on adding a new position for child psychiatrist to the employee staffing plan; and

WHEREAS, this position was obtained by hiring an independent contractor and not hiring as a county employee; and

WHEREAS, it is therefore necessary to revise the 2009 budget line items related to the funds for this position; now, therefore, be it

RESOLVED, that the Mental Health Dept. is authorized to make the following revisions to the 2009 Budget:

Account NoA43000 - Behavioral Health

\$165,000 from 51496.M2110 Staff Psychiatrist

\$ 16,500 from 58100.M2110 Retirement

\$ 7,803 from 58200.M2110 FICA

\$ 6,110 from 58400.M2110 Hospitalization

\$ 156 from 58600.M2110 Disability

\$195,569 to 54566.M2110 Physician

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

RESOLUTION NO. 644-09: AUTHORIZATION TO EXECUTE CONTRACT WITH GENESEE REGION HOME CARE – ONTARIO COUNTY D/B/A HOME CARE PLUS FOR PERSONAL CARE SERVICES PROGRAM

Mr. Hammond presented the following:

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

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

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

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract, subject to review by the County Attorney, with Genesee Region Home Care – Ontario County D/B/A Home Care Plus for the provision of the Personal Care Services Program for the timeframe October 1, 2009 and ending September 30, 2010.

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

RESOLUTION NO. 645-09: AUTHORIZATION TO PURCHASE EQUIPMENT NOT INCLUDED IN BUDGET FOR DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, following discussion with the IT Department and upon their recommendation, Social Services is desirous of purchasing equipment that was not included in the 2009 budget; and

WHEREAS, the equipment we are requesting to purchase includes:

31 PCS \$17,949.00

5 Docking Stations 610.00

\$18,559.00

and,

WHEREAS, there is sufficient money available in our computer equipment account 2201 to purchase these items due to not purchasing:

15 Laptops \$24,000.00

now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to purchase 31 PCS and 5 Docking Stations at a total cost not to exceed \$18,559.00.

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

RESOLUTION NO. 646-09: ACCEPTANCE OF PHARMACEUTICAL AVERAGE WHOLESALE PRICE LITIGATION PROCEEDS FOR DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, Allegations of overcharging by various pharmaceutical companies resulted in a lawsuit joined by a number of New York State Counties of which Wayne is one; and

WHEREAS, Settlements from the pharmaceutical companies are received and apportioned as a percentage of each counties' claims; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby accepts Wayne County's share of the settlement from DEY in the amount of \$3,253.95, the settlement from Ethex in the amount of \$1501.82, and the settlement from Amgen in the amount of \$1401.70; and be it further

RESOLVED, that the Chairman of the Wayne County Board Supervisors is hereby authorized to execute any documents regarding the acceptance of these settlement accounts subject to the approval of the Wayne County Attorney.

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

RESOLUTION NO. 647-09: AUTHORIZATION TO AMEND THE 2009 DSS BUDGET TO FUND THE BACK TO SCHOOL BENEFIT PROGRAM

Mr. Hammond presented the following:

WHEREAS, Wayne County Department of Social Services was notified that monies were needed to pay for benefits under the Back to School Benefit program; and

WHEREAS, New York State has directed each county to pay these benefits and has provided advances to cover these expenditures; and

WHEREAS, the estimate of the total cost of these benefits for families in Wayne County is a maximum of \$556,400 which amount has been advanced to Wayne County; and

WHEREAS, the accounts need to be revised based on this receipt of monies and their expected expenditure; now, therefore, be it

RESOLVED, that Account No. A61090 44609 is increased by \$556,400 and that Account A61094 54710 is increased by \$556,400.

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

RESOLUTION NO. 648-09: AUTHORIZATION REQUEST TO AMEND THE CURRENT STIMULUS YOUTH BUDGET

Mr. Hammond presented the following:

WHEREAS, the Youth Stimulus budget currently does not reflect the increased amount approved contract and in the June 325-09 resolution; and

WHEREAS, Workforce Development Office has received a contract for June 1 to Nov. 30, 2009 in the amount of \$183,027 that was formerly entered as \$150,000; now therefore be it

RESOLVED, that the County Treasurer be directed to amend the 2009 County Budget as follows:

A6289-WIA YOUTH STIMULUS FUNDS:

\$33,027.00 to .44711 Federal Stimulus Funds
\$ 3,449.00 from .51088 E & T Director II
\$ 3,500.00 from .51123 Account Clerk-Typist
\$ 3,000.00 to .51251 E & T Counselor PT
\$ 2,062.00 to .51252 E & T Counselors
\$40,601.00 to .51357 Work Experience Participants
\$ 188.00 from .58100 Payments to NYS Retirement
\$ 2,964.00 to .58200 Payments to Social Security
\$ 2,450.00 from .58400 Hospitalization
\$ 15.00 from .58901 Employee Assistance Program
\$ 500.00 to .54150 Office Supplies
\$ 200.00 from .54166 Postage
\$ 5,573.00 to .54199 Miscellaneous
\$ 350.00 from .54210 Gas
\$ 2,000.00 from .54220 Light & Power
\$ 100.00 from .54240 Water
\$ 501.00 from .54300 Insurance
\$ 1,000.00 from .54407 Building & Maintenance
\$ 600.00 from .54414 Information Technology
\$ 7,000.00 from .54437 Lease
\$ 320.00 from .54456 Printing

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

RESOLUTION NO. 649-09: AUTHORIZING THE CHAIRMAN TO EXECUTE THE ADMINISTRATIVE AGREEMENT FOR THE 4 COUNTIES FOR THE WORKFORCE INVESTMENT ACT LOCAL PLAN

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 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, 2009 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, 2010 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, 2009 – June 30, 2010, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 650-09: RENEW CONTRACT FOR TITLE V SENIOR EMPLOYMENT SERVICES WITH FINGER LAKES WORKS

Mr. Hammond presented the following:

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

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

be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized, subject to the County Attorney's review and approval, to contract on behalf of the County of Wayne with Finger Lakes Works in the amount of \$47,303 for the grant period of July 1, 2009 through June 30, 2010.

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

RESOLUTION NO. 651-09: AUTHORIZATION TO APPLY FOR THE 2010 BULLIS FOUNDATION GRANT APPLICATION FOR THE FAMILIES AND COMMUNITIES TOGETHER (FACT) PROGRAM

Mr. Hammond presented the following:

WHEREAS, Families and Communities Together (FACT) is an interagency initiative designed to assist families of children who are having difficulty in their home, school, or community due to emotional and/or behavioral challenges. FACT serves children in grades K through 8 in eight school districts throughout Wayne County. The primary goal of FACT is to prevent out of home placements; and

WHEREAS, revenue for the FACT program is derived from, the participating schools, Office of Mental Health, NY State OCFS grants and private foundation funding, and

WHEREAS, the Bullis Foundation has been a contributor of FACT funding and the 2010 Grant application is due September 30th; now, therefore, be it

RESOLVED, the Department of Aging and Youth is requesting authorization to apply for Bullis Foundation funds in the amount of \$39,000 for the 2010 budget year.

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

RESOLUTION NO. 652-09: AUDIT OF CLAIMS – September 15, 2009

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 totaling **\$2,663,920.05** are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$ 1,847,127.54
2. D Fund	\$ 270,095.94
3. DM Fund	\$ 90,124.69
4. E Fund	\$ 224,657.19
5. H Fund	\$ 213,999.74
6. MS Fund	\$ 17,914.95
7. S Fund	\$ 00.00
Warrant Total	\$ 2,663,920.05

and be it further

RESOLVED, that the following utilities totaling **\$122,210.27**, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$ 84,510.35
2. DM Fund	\$ 2,944.18
3. E Fund	\$ 34,755.74
Utility Total	\$ 122,210.27

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling **\$292,471.60** are hereby ratified:

1. Nursing Home	\$ 82,856.98
2. Sheriff-Misc.	\$ 878.25

3. Sheriff-Pistol Permits	\$	3,675.75
4. Social Services	\$	616.00
5. Public Health	\$	224.00
6. County Attorney	\$	29,304.13
7. Workers' Comp	\$	174,916.49
Misc. Disbursement Total	\$	292,471.60

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

AD HOC COMMITTEE RESOLUTIONS

RESOLUTION NO. 653-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE RENOVATION OF THE FORMER WAYNE COUNTY NURSING HOME IN ORDER TO REUSE THE FACILITY FOR OFFICE SPACE

Mr. Spickerman presented the following:

WHEREAS, the building formerly used as the Wayne County Nursing Home (County Office Bldg No. 0006) was vacated in May 2005; and

WHEREAS, the county has considered various options for the reuse of the building; and Whereas, the county has contracted with SWBR Architects to develop the design for the reuse of the structure; and

WHEREAS, the Relocation Committee has reviewed the design and reuse of the facility for the Sheriffs Department, Emergency Management Department, Probation Department, Board of Elections, Veterans Services Agency, Fire Coordinator, Stop DWI Program, Emergency Medical Services Coordinator, Records Management Program, and for a Disaster Recovery Room for the Information Technology Department; and

WHEREAS, the departments that will become the occupants of the structure have been actively involved in providing input into the design of the facility; and

WHEREAS, after considerable preparation the project is able to be advanced to the bidding phase; and

WHEREAS, sufficient funding has been identified and appropriated by the Board of Supervisors to complete the project; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise for bids for improvements to and the renovation of the former Wayne County Nursing Home in accordance with the specifications prepared by SWBR Architects on behalf of Wayne County and filed with the Clerk of the Board of Supervisors; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby designated and directed to publicly open the bids at the time specified in the Advertising for Bids, and to present a record of the bids at the next meeting of the Board of Supervisors following the bid opening.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, all Supervisors voted Aye, except Supervisor Fabino. The Chairman declared the Resolution adopted.

RESOLUTION NO. 654-09: AUTHORIZATION TO EXECUTE PERMIT OR LICENSE APPLICATIONS RELATED TO FORMER NURSING HOME RECONSTRUCTION

Mr. Spickerman presented the following:

WHEREAS, Wayne County has established a project for the renovation of the former Nursing Home and with regards to this project, numerous applications for permits and licenses will need to be executed; now, therefore, be it

RESOLVED, the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute any permit or license applications required due to the renovation of the former Nursing Home, upon review and approval of the County Attorney.

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

Upon roll call, all Supervisors voted Aye, except Supervisor Fabino. The Chairman declared the Resolution adopted.

OTHER BUSINESS:

Mr. Lauderdale moved, seconded by Ms. Park that one (1) resolution be allowed on the floor under other business. Motion carried.

RESOLUTION NO. 655-09: AUTHORIZATION TO SET WAGE FOR VACANT CONFIDENTIAL ACCOUNT CLERK POSITION IN COUNTY AUDITOR DEPARTMENT

Mrs. Collier presented the following:

WHEREAS, Resolution No. 311-09 adopted in April 2009, created the position of County Auditor; and

WHEREAS, a vacant Account Clerk position was transferred from the Board of Supervisors office to the County Auditor Department by Resolution No. 322-09; and

WHEREAS, Wayne County is actively recruiting for the County Auditor position, but the search for candidates is taking significantly longer than anticipated; and

WHEREAS, the Account Clerk remains vacant impacting the ability of staff to carry out other duties and to devote sufficient attention to the monthly audit process; and

WHEREAS, no approved salary schedules exist for Management and Confidential employees; and

WHEREAS, the County Administrator anticipates authorizing the filling of the Account Clerk position from an existing Civil Service List of Eligible's; now, therefore, be it

RESOLVED, that the hourly wage for the Confidential Account Clerk position in the County Auditor's Department be set at \$13.358 per hour (\$24,405.06 per annum); and be it further

RESOLVED, that the County Administrator is hereby authorized to hire and supervise the Account Clerk position until such time as the County Auditor position is filled by the Board of Supervisors; and be it further

RESOLVED, that the Clerk of the Board will provide day-to-day direction to the Account Clerk position until such time as the County Auditor position is filled by the Board of Supervisors.

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

Supervisor Colacino addressed the Board with his concerns regarding the recent developments associated with the proposed Lyons Amtrak Station. He is requesting to venture forth and aggressively pursue grant funding for this opportunity of the development of a high-speed rail line in Upstate New York.

Mr. Fabino assured to Board and Wayne County Residents that we are not giving up on this project.

EXECUTIVE SESSION:

Mrs. Collier moved, seconded by Mrs. Crane that the Board go into Executive Session at 8:01 p.m. to discuss a personnel issue. Upon roll call, carried.

REGULAR SESSION:

Ms. Park moved, seconded by Mr. Fabino that the Board resume regular session at 8:20 p.m. Carried.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, October 20, 2009 at 9:00 a.m.

Ms. Park moved, seconded by Mr. Kelsch, that the Board adjourn at 8:21 a.m. Carried.

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