

19th Day
Tuesday, September 20, 2011
7:00 p.m.

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

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

Upon roll call, all Supervisors were present.

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

APPROVAL OF MINUTES:

Ms. Park moved, seconded by Mr. Kelsch, to waive the reading of the minutes of the previous meeting and approve them as distributed. Upon roll call, carried.

COMMUNICATIONS:

The Clerk read the following:

Copies of the Sheriff's Cash Receipts Reports for the months of July and August 2011, totaling \$29,728.00, were received and filed.

A letter was received from Mr. Peter Foges, resident of Village of Clyde, regarding his request for an opportunity to pay the back taxes to the County that he believed were paid from the prior owner.

Copies of certified resolutions were received from the Yates County Legislature regarding the appointments of Michael Davis and Theodore Jordon, Jr. to the Finger Lakes Workforce Investment Board.

Certified copy of Resolution No. 309-11 was received from Yates County Legislature, requesting the Governor and NYS Legislature to apply the same standards to Yates County and the Finger Lakes Watersheds that the DEC will apply to New York City and Syracuse Watersheds.

A copy of the Wayne County Auditor's accounts payable report for a warrant for payment made in August 2011 totaling \$4,321,087.29 was received and filed.

A note was received from the Lyons Peppermint Committee, thanking the Board for the utilization of space within the county parking lots for the July festival.

Copies of the Western Finger Lakes Solid Waste Management Authority's June 27, 2011 Board Meeting minutes were received.

Copies of the 2010 Wayne County Management Letter and Basic Financial Statements from Raymond F Wager, CPA, P.C., were received and filed.

A letter and project map was received from the NYS Dept of Transportation to inform the County that a paving project on Route 31 within the Village of Palmyra is scheduled to begin early Spring 2012 and expected to be completed the end of June 2012.

A fact sheet for the Brownfield Cleanup Program, highlighting the upcoming cleanup activities for Garlock Sealing Technologies Site No. 3 Brownfield Site located in Palmyra was received.

A copy of the August 3, 2011 Professional Advisory Committee Meeting Minutes were received and filed as per state requirements, after being accepted by the Wayne County Health and Medical Services Committee.

A letter was received from the Wayne County Association of Police Chiefs to share their united support for improving the functionality of the Wayne County 911 Emergency Communication Department. They are requesting that this department be dissolved and placed under the management of the Wayne County Sheriff's Office.

A copy of a resolution was received from the Fulton County Board of Supervisors entitled,

"Resolution Requesting Comptroller Thomas DiNapoli to Reform the Funding Policy for the NYS Common Retirement Fund".

Mr. LeRoy moved, seconded by Ms. Park, that the Communications be received and filed. Upon roll call, carried.

BIDS:

WC Buildings and Grounds Department

- Replacement of Masonry Landing for the Department of Social Services

WC Highway Department

- Sell Surplus Vacuum Street Sweeper in the Wayne County Highway Department

Mr. Lauderdale moved, seconded by Ms. Park, that the recently opened bids be referred to the appropriate committees for review and presentation. 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 AND PRESENTATIONS:

Supervisor Kim Park, Chairperson of the Health and Medical Services Committee, read tonight's proclamation, declaring September 18-24, 2011 as Child Passenger Safety Week in Wayne County.

Supervisor Plant, Chairman of the Public Works Committee, read the proclamation, on behalf of the Board, to declare October 2-8, 2011 as Office of the Sheriff Week in Wayne County.

Peter Kehoe, Executive Director of the NYS Sheriff's Association, presented the Sheriff's Office with Jail Accreditation and a plaque to recognize and honor Sheriff Virts and the Wayne County Sheriff's Office on this occasion of accreditation of the Sheriff's Correction Division. He congratulated the Sheriff's Office and Board of Supervisors for the effort and resources put forth to achieve this accomplishment.

Sheriff Virts addressed the Board to announce that - Re-accreditation from Department of Criminal Justice Services for the Sheriff's Office Law Enforcement Re-Accreditation for the Police Services Division. He thanked all of his staff for their duty and their service.

Anne Cressman, of the Wayne County Cornell Cooperative Extension read a proclamation for the observation of Cornell Cooperative Extension National 4-H Week - October 2-8, 2011.

Ms. Cressman introduced members of the 4-H Roving Clovers, including Emma Perrone of the Newark-Port Gibson area, Medina and Mya VanDuyne of Palmyra, and Madison Dillon of Newark. The young ladies shared their statements of how 4-H has impacted their lives.

Joe Ebert, Capital Projects Treasurer for the Williamson-Sodus Airport, introduced Lisa Cheung, Airport Planner of Passero Associates, along with Duane Sims, President of the Williamson Flying Club. Their presentation for the Board today was to give a public informational statement including a brief history of the property. Ms. Cheung presented a comprehensive plan for the Sodus-Williamson Airport that outlined possible future development of this airport.

Chairman Hoffman took this opportunity to have everyone join him in wishing Supervisor Dick Colacino a Happy 70th Birthday today.

RECESS

The Chairman declared a 10 minutes recess for the Board at 7:45 p.m.

REGULAR SESSION

The Board resumed regular session at 7:55 p.m.

RESOLUTION NO. 535-11: IN MEMORIAM – Allyn J. Guerin

Mrs. Crane presented the following,

WHEREAS, Allyn J. Guerin served Wayne County as Supervisor for the Town of Huron from January 1, 1996 – December 30, 1999. Throughout his years of service, he diligently served the Citizens of Wayne County with loyalty and dedication. His death is a great loss to his family and the community;

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

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

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

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

RESOLUTION NO. 536-11: AUTHORIZATION FOR SETTLEMENT OF CLAIM – LESLIE INGRAHAM

Mr. Hammond presented the following:

WHEREAS, a vehicle owned by Wayne County caused damage to an automobile owned by Leslie Ingraham, that said vehicle backed from a parking spot at the Wegmans Plaza, Newark, NY into Mr. Ingraham's vehicle that was in the driving lane of the parking lot, on March 3, 2011 at approximately 4:00 P.M.; now, therefore, be it

RESOLVED; in settlement of said claim that the Wayne County Treasurer is hereby authorized and directed to pay Mr. Ingraham the sum of Three Hundred Sixty Seven and 20/100 Dollars (\$367.20) from Account #1931 (Liability & Casualty) as directed by the Wayne County Attorney.

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

RESOLUTION NO. 537-11: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS

Mr. Hammond presented the following:

WHEREAS, applications for correction of tax rolls in relation to parcels of property identified below have been filed with the Director of Real Property Tax Services ("Director"); and

WHEREAS, the Director investigated the circumstances of the claimed errors on the tax rolls and recommends that the applications be approved; now, therefore, be it

RESOLVED, pursuant to Article 5, Title 3 of the Real Property Tax Law, the applications are approved and the officers having jurisdiction of the tax rolls are hereby authorized to make the following corrections:

TOWN OF ROSE

2011 Tax Roll	
Account No.	74114-00-420812
Assessed to:	Scott Converse
Total Tax Difference:	\$36.00 Total County Tax Difference: \$0
Corrected Total Tax:	\$242.49

and be it further

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

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

RESOLUTION NO. 538-11: TAX REFUND – ERROR ON TAX ROLL

Mr. Hammond presented the following:

WHEREAS, applications for refund of real property tax claimed to be attributable to an error on the tax roll has duly been filed with the Director of Real Property Tax Services ("Director") for the properties listed

below, pursuant to the provisions of Article Five, Title 3 of the Real Property Tax Law; and

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

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

TOWN OF BUTLER

2009 Tax Roll

Account No. 77116-00-118493
Assessed to: Lawrence & Melody Ibbs
Total Tax Difference: \$ 49.02 Total County Tax Difference: \$ 24.37
Refund: \$ 49.02

TOWN OF BUTLER

2010 Tax Roll

Account No. 77116-00-118493
Assessed to: Lawrence & Melody Ibbs
Total Tax Difference: \$ 51.24 Total County Tax Difference: \$ 26.01
Refund: \$ 51.24

TOWN OF BUTLER

2011 Tax Roll

Account No. 77116-00-118493
Assessed to: Lawrence & Melody Ibbs
Total Tax Difference: \$ 53.14 Total County Tax Difference: \$ 22.96
Refund: \$ 53.14

TOWN OF SODUS

2011 Tax Roll

Account No. 71119-14-253285
Assessed to: Brian Spencer
Total Tax Difference: \$ 808.00 Total County Tax Difference: \$ 191.19
Refund: \$ 808.00

TOWN OF SODUS

2010 Tax Roll

Account No. 71119-14-253285
Assessed to: Brian Spencer
Total Tax Difference: \$ 802.81 Total County Tax Difference: \$ 195.25
Refund: \$ 802.81

TOWN OF SODUS

2009 Tax Roll

Account No. 71119-14-253285
Assessed to: Brian Spencer
Total Tax Difference: \$ 265.62 Total County Tax Difference: \$ 198.64
Refund: \$ 265.62

and be it further

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

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

call, adopted.

RESOLUTION NO. 539-11: AUTHORIZING PUBLIC AUCTION SALE OF REAL PROPERTY ACQUIRED BY THE COUNTY FOR DELINQUENT TAXES

Mr. Hammond presented the following:

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law of the State of New York pertaining to the enforcement of the collection of delinquent taxes, the County of Wayne has or will acquire title to the real property as shown on Appendix A (attached hereto and incorporated herein by reference) and is entitled to acquire title by Court Order to the properties from 2009 listed on Appendix A; and

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law, real property acquired by tax deed or Court Order may be disposed of by the County at such times and upon such terms as shall be determined by the Board of Supervisors; now, therefore, be it

RESOLVED, in accordance with Article Eleven (11) of the Real Property Tax Law;

FIRST: The County Treasurer is hereby authorized and directed to convey title to the County of Wayne for the properties listed on Appendix A which are not redeemed for the year 2009 as of the close of business on June 21, 2011.

SECOND: The County Attorney is hereby authorized and directed to take appropriate action regarding removal of property from the auction list after the filing of the Summary Judgement of the Petition of Foreclosure and up to the time of the auction.

THIRD: The County Attorney is directed and authorized to prepare a contract document for the use of the Reynolds Auction Services for their service to this second tax sale auction .

FOURTH: The Director of Real Property Tax Services is hereby authorized, empowered and directed to conduct a public auction sale of the properties listed on Appendix A at the County Courthouse, 26 Church Street, Lyons, New York, on **October 12, 2011, commencing at 6:00 p.m.**

FIFTH: The Director of Real Property Tax Services is hereby authorized and directed to advertise the auction sale in such manner as he/she may deem suitable for obtaining the greatest public participation in the sale and to charge the advertising cost to Account No. A1362.4402 (Tax Advertising and Expense – Advertising).

SIXTH: Each parcel of property shall be offered and sold at the public auction sale subject to the following terms and conditions of sale:

COUNTY OF WAYNE REAL PROPERTY AUCTION SALE

**Held at the Old Courthouse
26 Church Street, Lyons, NY
October 12, 2011 at 6:00 p.m.**

TERMS AND CONDITIONS OF SALE

1. The property offered for sale has been acquired by the County of Wayne (hereinafter referred to as the "County") by Court Order pursuant to the provisions of Title 3, Article 11 of the Real Property Tax Law of the State of New York.
2. All potential Bidders/Buyers must provide acceptable photo identification for issuance of a bid number.
3. All Bidders/Buyers must register for this auction and hold a bid number.
4. Former owners will not be allowed to bid on their properties.
5. By acknowledging and executing these Terms & Conditions, the purchaser certifies that

he/she is not representing the former owner(s) of the property against whom Wayne County Foreclosed and has no intent to defraud Wayne County of the unpaid taxes, assessment, penalties, and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey, the property to the former owner(s) against whom Wayne County foreclosed within 24 months subsequent to the auction date. If such conveyance occurs, the purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to Wayne County as related to the foreclosure on the property and consents to immediate judgment by Wayne County for said amounts.

6. NO PERSON OR ORGANIZATION CAN BID ON PROPERTIES AT THE AUCTION IF THEY, OR A CORPORATION OR COMPANY THEY ARE AFFILIATED WITH, OWE PROPERTY TAXES (CURRENT YEAR OR PRIOR YEAR) TO WAYNE COUNTY. ALL TAX LIABILITIES MUST BE PAID PRIOR TO THE AUCTION IN ORDER TO BID AT THE AUCTION. Previously defaulting parties are not allowed to bid. Failure to comply with this provision will be grounds for default and forfeiture of any deposits paid.
7. The auctioneer's decision regarding any disputes is final, and the auctioneer reserves the right to reject any bid that is not an appreciable advancement over the preceding bid.
8. The property will be conveyed by the County to the purchaser by quit-claim deed, containing a description of the property as it appeared on the tax roll for the year upon which the County acquired title or as corrected up to date of deed. The deed will be recorded by the County upon payment in full of the purchase price and closing fees/cost. POSSESSION OF PROPERTY IS FORBIDDEN UNTIL THE DEED IS RECORDED WITH THE WAYNE COUNTY CLERK CONVEYING TITLE TO THE PURCHASER. TITLE VESTS AT THE RECORDING OF THE DEED. It is agreed between the County and the purchaser that delivery and acceptance of the deed occurs upon recording of the deed.
9. The County will not furnish an abstract of title or an instrument survey map.
10. The County does not make any representations or warranties, expressed or implied, (a) concerning the quality or the condition of the title to the property, or the validity or marketability of such title; the ownership of any improvements on the property; the condition of the property and any improvements thereon or its fitness for any use; or the accuracy of the property description on the tax roll or in the notice of sale or any other advertisement of sale furnished by the County; or (b) that the property or any improvements thereon presently comply with building or zoning codes, or with any state or local laws or regulations. Any information concerning the property furnished by the County or any of its officers, employees, or agents shall not be deemed to include any such representations or warranties. Any promotional tools such as photographic slides, tax maps, written or verbal descriptions, etc. are for informational purposes only.
11. Any successful bidder, who fails to tender the deposit at the end of the auction, will be forbidden to participate in this or any other auction. Any parcels which the County of Wayne did not receive deposits for by the end of the auction will be considered defaulted. If a purchaser fails to close on the parcel(s) that he/she bids on at the auction, he/she will be prohibited from participating at future auctions held for the County of Wayne.
12. The purchaser shall accept the property and any improvements thereon in "as is" condition with the understanding that the County makes no representation as to ownership or responsibility for any personal property located on the real property. The

disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.

13. Evictions, if necessary, are solely the responsibility of the successful bidder after closing and recording of the deed.
14. The sale of the property is made subject to (a) village, town, state and federal claims for taxes, liens or other encumbrances, and (b) all easements or rights-of-way which were in existence at the time of the levy of the tax the non-payment of which resulted in the tax deed to the County.
15. The County will convey the property free and clear of County tax liens accrued on or before January 1, 2011.
16. The purchaser will pay all of the following taxes and charges, including all interest and penalties if applicable:
2011 Village Tax; current water, sewer, other special district charges, demolition charges, and any service charges levied against property by a Municipality - INCLUDING ANY APPLICABLE INTEREST AND PENALTIES
Federal and/or State taxes, liens and encumbrances of record
2011 School Tax
2012 Town Tax & County Tax which may include relieved village or school taxes
In order to avoid future delinquent charges, the new owner should immediately advise all tax collectors of the new ownership, and the address where future tax bills are to be mailed.
17. All bids are subject to approval and acceptance by the Wayne County Board of Supervisors. The County reserves the right to sell to the second highest bidder if Purchaser defaults.
18. The Board of Supervisors reserves the right to accept or reject any or all bids, or to withdraw any parcel from the sale at any time prior to delivery of the deed to the purchaser.
19. In the event that a sale is cancelled by Court Order or judgment or by the Wayne County Board of Supervisors, the successful bidder shall be entitled only to a refund of the purchase money. Purchaser shall not be entitled to special or consequential damages, attorney fees, reimbursement for any expenses incurred as a result of ownership or improvements of the property, nor for taxes paid during the period of ownership.
20. The purchaser shall pay full payment immediately at "Knockdown" (when the Auctioneer says "sold") for any properties sold in the amount of \$2,000 or less.
21. Regarding any properties sold for more than \$2,000, the amount of \$2,000 plus 10% of the amount over \$2,000 must be paid immediately at "Knockdown"
22. All sales shall be final, absolute and without recourse, and in no event shall Wayne County be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, successors or assigns, against Wayne County arising from this sale.
23. Notice is hereby given that the premises being sold may lie within an Agricultural District as designated upon the tax map. It is the sole responsibility of any bidder to ascertain which specific parcel(s) is so designated and thereby sold subject to the provisions of law

applicable thereto.

- 24. The purchaser's bid will be submitted to the Board of Supervisors on November 15, 2011. It shall be the purchaser's responsibility to contact the County Real Property Tax Service Agency (315-946-5916) on or after November 16, 2011 to determine whether the bid was accepted or rejected by the Board of Supervisors.
- 25. The purchaser must pay the balance of the purchase price (paid in cash or by certified check, bank check or money order payable to the Wayne County Treasurer) together with the necessary recording taxes and fees (paid in cash or check payable to the Wayne County Clerk) to the County Treasurer not later than the close of business on November 30, 2011. Upon receipt of such payments, the deed will be recorded in the County Clerk's Office and mailed to the purchaser upon completion of the recording process. The purchaser may not assign his/her right to complete the sale. ALL DEEDS SHALL BE EXECUTED SOLELY IN THE NAME OF THE BIDDER (AND SPOUSE, IF REQUESTED) AS REGISTERED AT THE AUCTION. If the purchaser fails to make such payments on or before November 30, 2011, the sale shall be deemed cancelled, the County shall not be obligated to convey the property to the purchaser and the purchaser's deposit shall be retained by the County as liquidated damages.

The purchaser shall execute a Memorandum of Purchase at the time and place of the auction sale agreeing to purchase the property subject to the terms and conditions of sale prescribed by the County.

MEMORANDUM OF PURCHASE

I, _____, agree to purchase the property identified as Tax Map # _____, (Print Name)
 Town of _____, subject to the terms and conditions of sale set forth above, for the purchase price of \$ _____.

Dated: June 22, 2011

Name: _____ (Signature)

Social Security No.: _____

Telephone: _____

Residence Address: _____

Mailing Address: _____

GRANTEE DESIGNATION IN DEED:

Name	Soc. Security #	Residence Address

Appendix A

Town of Galen

<u>Seq #</u>	<u>Tax ID #</u>	<u>Location</u>
389	74112-14-262485	127 Caroline Street
410	74112-14-370436	49 Caroline Street
N/A	74112-14-393474	15 W Dezeng Street

Town of Huron

<u>Seq #</u>	<u>Tax ID #</u>	<u>Location</u>
518	72119-14-488328	Lake Bluff Road W.

Town of Lyons

<u>Seq #</u>	<u>Tax ID #</u>	<u>Location</u>
664	71111-06-322786	182 Canal Street
666	71111-09-027678	44 Church Street
713	71111-13-154389	32 Franklin Street

Town of Rose

<u>Seq #</u>	<u>Tax ID #</u>	<u>Location</u>
1175	73116-19-728197	5117 Main Street

Town of Sodus

<u>Seq #</u>	<u>Tax ID #</u>	<u>Location</u>
1442	69118-17-169073	38 Beldon Avenue
N/A	69117-07-694785	7106 Ridge Road E

Town of Wolcott

<u>Seq #</u>	<u>Tax ID #</u>	<u>Location</u>
1874X	75117-11-682573	12087 Conklin Avenue
2018	78118-14-323429	6899 Main Street

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

RESOLUTION NO. 540-11: ESTABLISHING TOWN EQUALIZATION RATES FOR 2012 COUNTY TAXES

Mr. Hammond presented the following:

RESOLVED, pursuant to Section 804 of the Real Property Tax Law, that the following rates recommended by the County Finance 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 2011 to affect the 2012 County taxes:

Arcadia	99.81	Palmyra	100.00
Butler	100.00	Rose	100.00
Galen	100.00	Savannah	92.00
Huron	100.00	Sodus	100.00
Lyons	100.00	Walworth	100.00
Macedon	100.00	Williamson	100.00
Marion	98.00	Wolcott	100.00
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.

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

adopted.

RESOLUTION NO. 541-11: AUTHORIZATION TO EXECUTE A CONTRACT BETWEEN NEW YORK STATE INDIGENT LEGAL SERVICES AND COUNTY OF WAYNE, NEW YORK.

Mr. Hammond presented the following:

WHEREAS, New York State Indigent Legal Services has agreed to enter into an agreement with the County of Wayne, New York, to provide funding to assist Wayne County in improving the quality of indigent legal services provided by Wayne County pursuant to Article 18-B of the County Law; and

WHEREAS, New York State Indigent Legal Services has agreed to reimburse the County of Wayne, New York, for personnel costs, including 50% of salary and 39.9% of fringe benefits, of one Assistant Public Defender position employed by the Wayne County Public Defender, said sum to not exceed the sum of \$36,298.00 for a one year period covering June 1, 2011 through May 31, 2012; and

WHEREAS, in order to obtain this funding from New York Indigent Legal Services a contract must be executed with New York State Indigent Legal Services for a one year period to run from June 1, 2011 through May 31, 2012; now, therefore, be it

RESOLVED, that the Wayne County Chairman of the Board is hereby authorized to review and approve the one year contract with New York State Indigent Legal Services to run from June 1, 2011 through May 31, 2012.

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

RESOLUTION NO. 542-11: BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

Mr. Hammond presented the following:

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

SECTION 1. Section 4-A of Resolution No. 150, enacted by the Board of Supervisors of the County of Wayne on November 15, 1967, imposing sales and compensating use taxes, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning March 1, 2004, and ending November 30, 2013. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (c) of Subdivision (1) of section 11 of Resolution No. 150, enacted by the Board of Supervisors of the County of Wayne on November 15, 1967, imposing sales and use taxes, is amended to read as follows:

(c) With respect to the additional tax of one percent imposed for the period beginning March 1, 2004, and ending November 30, 2013, in respect to the use of property used by the purchaser in this county prior to March 1, 2004.

SECTION 3. Subdivision (d) of section 14 of Resolution No. 150, enacted by the Board of Supervisors of the County of Wayne on November 15, 1967, imposing sales and use taxes, as

amended, is amended to read as follows:

(d) One hundred percent of net collections from the additional one percent rate of tax, imposed for the period beginning March 1, 2004, and ending November 30, 2013, is set aside for County purposes and shall be available for any County purpose.

SECTION 4. This enactment shall take effect December 1, 2011.

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

Mr. Hammond stated that this is not an actual increase of taxes, but an extension.

Upon roll call, adopted.

RESOLUTION NO. 543-11: AUTHORIZING COUNTY TREASURER TO CANCEL TAXES ON STOCKTON LAND COMPANY

Mr. Hammond presented the following:

WHEREAS, pursuant to Resolution No. 162-11 duly adopted by the Wayne County Board of Supervisors on February, 28 2011, said Board of Supervisors determined to reinstate on the tax roll, property owned by Stockton Land Co., Tax ID #71111-14-411405, 71111-14-475388 and 71111-14-481422, located at Cole Rd., in the town of Lyons; and

WHEREAS, pursuant to said resolution, the outstanding delinquent tax lien was reinstated, which had the effect of placing the above mentioned parcels back into the taxable portion of the tax roll; and

WHEREAS, the Wayne County Treasurer issued a Certificate of Restoration setting forth relevant facts with the assessor of the assessing unit of the town in which said parcel is located and the Director of Real Property Tax Services; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby reaffirms that the following determination: The property owned by Stockton Land Co., Tax ID #71111-14-411405, 71111-14-14-475388 and 71111-14-481422, located at Cole Road in the Town of Lyons, shall be restored to the taxable assessment roll for the reason that if the County of Wayne should acquire said parcel, there would be no significant risk that it might be exposed to liability substantially in excess of the amount that could be recovered by enforcing the tax lien; and be it further

RESOLVED, that the Wayne County Treasurer shall file a Certificate of Restoration setting forth relevant facts with the assessor of the assessing unit of the town in which said parcel is located but not reinstate the tax lien.

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

RESOLUTION NO. 544-11: AUTHORIZING COUNTY TREASURER TO CANCEL TAXES ON CO. OF WAYNE PARCEL # 74112-14-393474. LOCATED AT 15 W. DEZENG ST.. IN THE TOWN OF GALEN

Mr. Hammond presented the following:

WHEREAS, pursuant to Treasurers Tax Deed, Instrument Number R9108256, Parcel #74112-14-393474, located at 15 W. Dezeng Street in the Town of Galen for the foreclosure of certain tax liens, said action being known by Index Number: 63536 was sold at public Auction on June 16, 2009; and

WHEREAS, a Village of Clyde Relevy for property maintenance charge in the amount of \$23,963.95 has made the above referenced property unsellable that resulted in the parcel to be transferred back to the County of Wayne; now, therefore be it

RESOLVED, that the Wayne County Board of Supervisors has come to the following determination that the outstanding delinquent taxes on the property owned by the County of Wayne., Tax ID #74112-14-393474 located at 15 W. Dezeng Street in the Town of Galen need to be canceled to allow the County of Wayne to resell said parcel at the next upcoming public auction; and be it further

RESOLVED, that the Wayne County Treasurer is hereby directed to cancel outstanding delinquent taxes on aforementioned property and said property be sold at the next public auction.

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

RESOLUTION NO. 545-11: AUTHORIZATION TO EXECUTE MAINTENANCE CONTRACT WITH PHYSIO CONTROL CORPORATION FOR WAYNE COUNTY ALS

Mr. Plant presented the following:

WHEREAS, Wayne County ALS Services owns and operates two Lifepak monitor / defibrillators for use by the employees of Wayne County ALS Services, and

WHEREAS, the proper functioning of said monitor / defibrillators is essential, as the units are utilized on every call for service where a patient is transported under the care of WCALS, and

WHEREAS, said monitor / defibrillators and associated battery support systems have been under maintenance contract with the manufacturer, Physio Control Corporation, since they were purchased by the County in 2002; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to sign the Physio Control Corporation Technical Service Support Agreement, having a term of three years, at a cost not to exceed \$6705 for the entire term, with such agreement subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 546-11: AUTHORIZATION TO PURCHASE ARREST CHARGES & WARRANTS MODULES OF SALLYPORTNY SOFTWARE & MAINTENANCE

Mr. Plant presented the following:

WHEREAS, we have purchased SallyPortNY from Black Creek Integrated Systems as a replacement to the Jail Management System; and

WHEREAS, there are two other modules related to Jail Management but are currently standalone that also need to be replaced; and

WHEREAS, it is cost effective to purchase this product and have it integrated rather than develop the software in-house; and

WHEREAS, SallyPortNY has worked with us to review our requirements and needs and is able to develop both an Arrest Charges module and a Warrants module to give us an integrated system that will show not only Bookings but also any Arrest Charges and Warrants without having to go to a separate system; and

WHEREAS, the Sheriff is requesting authorization to enter into said agreement with SallyPortNY to purchase the Arrest Charges module and Warrants module, at a cost of \$50,000, to be paid for by Jail revenue funds and at no cost to the County; and

WHEREAS, the Information Technology Department will be picking up the related 2011 support, at a cost not to exceed \$4,167; and, now therefore be it

RESOLVED, that the Sheriff is hereby authorized to purchase said Arrest Charges module and Warrants module through state bid contract #PT65193 with SHI International, as follows at a cost not to exceed \$50,000, to be paid by Jail revenue funds, at no County Expense, upon review and approval by the County Attorney; and

RESOLVED, that the Director of Information Technology is hereby authorized to purchase the 2011 support, at a cost not to exceed \$4,167, out of current IT funds

Arrest Charges module	\$25,000.00
Warrants module	\$25,000.00
2011 Support	\$ 4,167.00

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

RESOLUTION NO. 547-11: AUTHORIZATION TO RESCIND RESOLUTION NO. 519-11 THAT AUTHORIZED AN AGREEMENT WITH THE NEWARK-ARCADIA VOLUNTEER AMBULANCE (NAVA)

Mr. Plant presented the following:

WHEREAS, The Wayne County Board of Supervisors duly enacted Resolution No. 519-11 on August 8, 2011, entitled, "Authorization to Execute an Agreement with the Newark-Arcadia Volunteer Ambulance (NAVA)", providing for the Chairman of the Board of Supervisors to execute an agreement which would allow for Wayne County Advanced Life Support Services personnel to be stationed at the Newark-Arcadia Ambulance base, providing service from that location, utilizing Newark-Arcadia equipment and facilities; and

WHEREAS, since the time that the aforementioned resolution was enacted, the staffing situation at NAVA has improved considerably, thereby lessening the need for assistance from Wayne County Advanced Life Support; and

WHEREAS, at its meeting on Tuesday, September 6, 2011, the Board of Directors of NAVA voted to pursue direct hiring of personnel to provide ALS service, rather than entering into a staffing arrangement with the County; and

WHEREAS, such decision by NAVA in no way precludes the possibility of NAVA being assisted by Wayne County Advanced Life Support, or vice versa, during emergency incidents, based on availability and location of personnel at the time; now, therefore, be it

RESOLVED, that Resolution No. 519-11 is hereby rescinded.

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

RESOLUTION NO. 548-11: AUTHORIZATION TO AMEND PROJECT ACCOUNT BUDGET FOR E911 COMMUNICATIONS

Mr. Plant presented the following:

WHEREAS, the Public Safety Interoperable Communications (PSIC) federal grant, which was utilized to fund the majority of the costs associated with the County's interoperable radio communications project to date, is due to be closed as of September 30, 2011; and

WHEREAS, a capital project account, H1934, was previously established to administer the grant, with said project account having seven separate subcategories, or projects, within the H1934 account; and

WHEREAS, the subcategories within the H1934 capital project account, entitled Radio Interoperability Project, need to be amended to reflect actual expenditures that occurred; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the H1934 Radio Interoperability Project capital project budget as follows:

H1934 – Radio Interoperability Project

\$ 58,055.76	FROM .52000 PAGER
\$189,777.78	FROM .52000 MOBL
\$ 41,616.80	TO .52000 PRTBL
\$123,898.04	TO .52000 OTHER
\$ 11,514.52	TO .52000 XMIT
\$ 70,804.18	TO .52574 Consultants - Managers

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

RESOLUTION NO. 549-11: AUTHORIZATION FOR COMMUNICATIONS TOWER ANTENNA WORK FOR E911 COMMUNICATIONS

Mr. Plant presented the following:

WHEREAS, certain antenna work is needed at the Rose tower site, with such work to include replacement of two antennas known to be defective, and moving one antenna mounting device to a higher location on the tower to achieve better performance, and replacing that antenna; and

WHEREAS, in response to a work description forwarded by 911, the following prices were received for this project:

Fred Nudd Corporation 1743 Route 104 Ontario, NY 14519	\$12,746.00
Marjim Corporation DBA: Jemstar Construction PO Box 180, 4001 N. Main St. Marion, NY 14505	\$4,700.00
Patriot Towers Inc. 870 Scottsville-Chili Rd. Scottsville, NY 14546	\$5,220.00

now, therefore, be it

RESOLVED, that Jemstar Construction shall be authorized to perform the tower work as specified by 911 in association with this project, at a cost not to exceed \$4,700.00; and be it further

RESOLVED, that the 911 Coordinator shall be authorized to purchase three antennas from Tessco Corporation, utilizing (GSA) General Services Administration municipal pricing, at a cost not to exceed \$5,330.00.

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

RESOLUTION NO. 550-11: AUTHORIZATION TO SOLICIT PROPOSALS FOR AN ENTERPRISE VIDEO BROADCAST SEARCH AND RECORDING SYSTEM

Mr. Plant presented the following:

WHEREAS, there is a need in the Emergency Operations Center to monitor and record television broadcasts during an emergency or disaster; and

WHEREAS, the current recording technologies are obsolete, non-functional and abandoned in the old ICF Building; and

WHEREAS, the purchase of this system will be funded at no county cost through the use of federal grant monies (SH10-1071-E00); now, therefore, be it

RESOLVED, that the Director of Emergency Management be authorized to issue a Request for Proposal (RFP) for an Enterprise Video Broadcast Search and Recording System, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 551-11: AUTHORIZATION TO AMEND BUDGET IN PROBATION DEPARTMENT

Mr. Plant presented the following:

WHEREAS, the United States Secret Service (USSS) has contacted the Wayne County Department of Probation and Correctional Alternatives (WCDPCA) to indicate the availability of funds; and

WHEREAS, the WCDPCA is in need of forensic computer software; and

WHEREAS, the USSS will reimburse the purchase of said software; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to amend the 2011 County Budget as follows:

A3140 Probation

(revenue)

\$1,000.00 to 44330 Fed Funds-USSS

(appropriations)

\$1,000 to 54475 Software

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

RESOLUTION NO. 552-11: AUTHORIZATION TO ACCEPT THE DONATION OF A BLOODHOUND FOR THE SHERIFF'S K-9 UNIT

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has had a police K-9 program since 1984; and

WHEREAS, The Wayne County Sheriff's Office, currently has 3 German Sheppard K-9's for patrol work, drug and explosive detection and tracking; and

WHEREAS, the Wayne County Sheriff has the opportunity to accept a donation of an 8 month old bloodhound from a kennel in Pavilion, NY; and

WHEREAS, other bloodhounds from the same litter are currently being trained in other law enforcement and search and rescue agencies; and

WHEREAS, previous bloodhounds utilized by the Sheriff's Office have proven highly successful in the tracking of criminals and lost persons; and

WHEREAS, the training of the bloodhound would be done by a certified trainer with the Ontario County Sheriff's Office, at no cost to Wayne County; and

WHEREAS, per the current collective bargaining agreement with the Sheriff's Police Officers' Association, a stipend of \$1,638 per year would be paid to the K-9 handler; and

WHEREAS; food and veterinary expenses for the bloodhound would be paid for with funds from the Sheriff's Office K-9 account, at no expense to County taxpayers; and

WHEREAS, the Sheriff is requesting authorization to accept a donation of an 8 month old bloodhound for the Sheriff's K-9 Unit, with costs not to exceed the current collective bargaining agreement, K-9 stipend requirements; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to accept the donation of a bloodhound for the Sheriff's Office K-9 unit, at a cost not to exceed current collective bargaining agreement, K-9 stipend requirements, with no additional costs to County taxpayers.

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

RESOLUTION NO. 553-11: AUTHORIZATION TO AMEND TO 2011 COUNTY BUDGET FOR BULLET PROOF VEST REIMBURSEMENT

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office and the Wayne County Probation Department receive reimbursement from the United States Department of Justice - Office of Justice Programs, for 50% of the total cost of body armor purchases for Wayne County deputy sheriffs and Wayne County Probation Officers, which is placed in the Sheriff's Office body armor revenue account; and

WHEREAS, the Sheriff's Office has received \$11,868.49 from the Department of Justice to date and is also scheduled to receive \$2,125.00 in reimbursement in October, 2011 for a total of \$13,993.49 of unbudgeted revenue, for body armor purchased earlier in 2011; now, therefore, be it

RESOLVED, the Sheriff is hereby authorized to purchase 3 body armor for the Probation Department, 2 body armor for the Sheriff's Office, and other uniform items, not to exceed \$13,993.49; and be it further

RESOLVED, that the County Treasurer is hereby authorized to make the following adjustment to the 2011 budget:

Account No. A3114 – Road Patrol

(revenue)

\$13,993.49 to .44339 Body Armor Reimbursement

(appropriations)

\$ 4,250.00 to .52500 Other Equipment

\$ 9,743.49 to .54187 Uniforms

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

RESOLUTION NO. 554-11: AUTHORIZATION TO EXECUTE AN AFFILIATION AGREEMENT FOR A STUDENT INTERN FOR THE SHERIFF'S OFFICE

Mr. Plant presented the following:

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

WHEREAS, the Sheriff has agreed to have Randy Rice, a full time certified police officer with the Newark Police Department, and undergraduate student with Penn State University, participate in an internship program with the Wayne County Sheriff's Office; and

WHEREAS, as part of the internship program, Randy Rice will be required to ride with deputy sheriffs on patrol in County owned vehicles; and

WHEREAS, said internship is dependent upon an Affiliation Agreement between the County of Wayne and Penn State University; and

WHEREAS, the Sheriff is requesting that an Affiliation Agreement between the County of Wayne and Penn State University be executed and that Randy Rice be allowed to ride with deputy sheriffs on patrol in vehicles owned by the County of Wayne; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an Affiliation Agreement for a student internship with Penn State University, subject to the County Attorney's approval as to form and content; and further, be it

RESOLVED, that authorization is given for Randy Rice to ride in Wayne County Sheriff's patrol cars for the purpose of an internship program with Penn State University, upon submission of a waiver of liability, approved as to form and content by the County Attorney.

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

RESOLUTION NO. 555-11: AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE PURCHASE OF UNIFORM AND ASSOCIATED EQUIPMENT SERVICES FOR THE WAYNE COUNTY SHERIFF'S OFFICE

Mr. Plant presented the following:

WHEREAS, Wayne County has an existing agreement, with United Uniform Company, Inc. 1132 Scottsville Road, Rochester, NY, for uniform and associated equipment services that are provided to Deputy Sheriffs, Correction Officers and Court Security Officers, hereinafter referred to as members, of the Wayne County Office of the Sheriff; and

WHEREAS, said agreement with United Uniform expires September 30, 2011; and

WHEREAS, the Sheriff, in conjunction with the County Attorney, has finalized bid specifications for uniform and associated equipment services provided to said members of the Sheriff's Office; and

WHEREAS, the Sheriff is requesting that the purchase of such uniform and associated equipment services be advertised for bid (s); now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bid(s) the purchase of such uniforms and associated equipment services to members of the Wayne County Sheriff's Office; and be it further

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

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

RESOLUTION NO. 556-11: AUTHORIZATION TO EXTEND AN AGREEMENT FOR SHERIFF'S OFFICE UNIFORMS WITH UNITED UNIFORM COMPANY, INC

Mr. Plant presented the following:

WHEREAS, Wayne County has an existing agreement with United Uniform Company, Inc. 1132 Scottsville Road, Rochester, NY, for uniform and associated equipment services that are provided to Deputy Sheriffs, Correction Officers and Court Security Officers of the Wayne County Office of the Sheriff; and

WHEREAS, said agreement with United Uniform expires September 30, 2011; and

WHEREAS, said agreement contains a provision which allows the County to extend the agreement up to two additional years, provided written notice is given; and

WHEREAS, the Sheriff will be requesting that the purchase of such uniform and associated equipment services be advertised for bid prior to December 31, 2011; and

WHEREAS, the Sheriff is requests that said agreement be extended through December 31, 2011; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby directed to provide written notice to United Uniform Company, Inc., that the current agreement for uniform and associated equipment services with Wayne County be extended through December 31, 2011, 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. 557-11: AUTHORIZATION TO PURCHASE REMAINING FURNITURE FOR PUBLIC SAFETY BUILDING

Mr. LeRoy presented the following:

WHEREAS, Departments moving into the Public Safety Building were asked to hold on any remaining items needed after the initial furniture purchases to determine their exact needs; and

WHEREAS, All Departments have since submitted their final lists for review by the County Administrator; and

WHEREAS, the Superintendent of Buildings and Grounds has had all items priced by NYS Contract vendors; and

WHEREAS, the total cost of the remaining furniture items is still within the project budget; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to purchase the remaining furniture items described below from the Account No. H1925.52807 line item:

<u>ITEM</u>	<u>Quantity</u>	<u>COST</u>	<u>TOTAL</u>
Side Chair	8	\$ 139.63	\$ 1,117.04
Tier 4 Workstation	1	\$ 1,236.83	\$ 1,236.83
36" Conference Table	4	\$ 165.72	\$ 662.88
42" Round Table	1	\$ 261.02	\$ 261.02
Stools	2	\$ 199.95	\$ 399.90
24x24 Work table	1	\$ 154.05	\$ 154.05
2x4 Table	2	\$ 268.71	\$ 537.42
2x6 Table	3	\$ 343.09	\$ 1,029.27
Printer Stands	6	\$ 268.71	\$ 1,612.26
Large Bookshelves	2	\$ 244.29	\$ 488.58
Bookshelves	33	\$ 407.29	\$ 13,440.57
Bookcase	3	\$ 414.93	\$ 1,244.79
5 Drawer Lateral File	2	\$ 893.89	\$ 1,787.78
Small Dry Erase Board	18	\$ 37.98	\$ 683.64
4x6 Bulletin Board	2	\$ 145.23	\$ 290.46
36"x60" Corkboard	2	\$ 105.68	\$ 211.36
48"x72" Corkboard	2	\$ 139.05	\$ 278.10
Coat Trees	19	\$ 97.82	\$ 1,858.58

- 1 each Washer 20 pound Speed Queen with stand
- 1 each Washer 40 pound Milnor with stand
- 1 each Window - small
- 1 box Windows fire 12 panels 10x24
- 11 each 1x1 Hirsch PS2 3 2x2 PS8
- 1 skid Base Board heat runs 2', 4', 6' and 8'
- 1 each Hose drain 100'
- 2 box Stair treads
- 1 box Computer wires misc

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

RESOLUTION NO. 559-11: AUTHORIZE PRE-PACT AGREEMENT FOR NECESSARY ENGINEERING SERVICES AND EQUIPMENT FOR THE INSTALLATION AND COMMISSIONING OF LIGHTING IMPROVEMENTS FOR VARIOUS COUNTY BUILDINGS CONSISTENT WITH THE NYSERDA-WAYNE COUNTY GRANT CONTRACT

Mr. LeRoy presented the following:

WHEREAS, pursuant to Res. No. 454-11, the Board of Supervisors authorized the award of an Energy Services Company (ESCO) Contract with Trane U.S. Inc. ("Trane") to provide energy-related services and improvements to Wayne County buildings within approximately five months, that include the Old Court House, County Office Building (9 Pearl St.), Dept. of Social Services, Buildings and Grounds Department and Health Services Buildings; and

WHEREAS, prior to the execution of the actual PACT™ ("Performance Agreement for Comfort Trane") Agreement, it is necessary for Wayne County to authorize a Pre-PACT Agreement, for Trane to proceed with certain work items in advance of an anticipated PACT Agreement; and

WHEREAS, said Pre-PACT agreement enables Trane to have certain elements of a project operational prior to the execution of the PACT agreement, to allow for the incorporation of the price of this work and associated energy and or operational savings into the PACT project in accordance with NYSERDA's schedule requirements; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a Pre-PACT agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Trane U.S. Inc., to deliver all necessary engineering services and equipment for the installation and commissioning of lighting improvements that is consistent with the NYSERDA – Wayne County Funding Agreement dated September 21, 2010.

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

RESOLUTION NO. 560-11: AUTHORIZATION TO AMEND CONTRACT WITH WAYNE ARC FOR THE PROVISION OF JANITORIAL AND CUSTODIAL SERVICES

Mr. LeRoy presented the following:

WHEREAS, Wayne County had contracted with Wayne Arc for the provision of Janitorial and Custodial Services as per Resolution No. 371-11; and

WHEREAS, the prevailing wage rate for cleaners increased on July 1, 2011; and

WHEREAS, New York State Industries for the Disabled provided worksheets to reflect their increased cost for the provision of Janitorial and Custodial Services; and

WHEREAS, this has been reviewed by the County Attorney and the Superintendent of Buildings and Grounds and deemed to be fair and reasonable; and

WHEREAS, the annual cost increase by building is hereby projected, as follows:

COB #0003	9 Pearl Street	\$ 2,101.78
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COB #0004	16 William Street	\$ 2,101.78
COB #0015	Highway Dept., 7227 Rt. 31	\$ 272.81

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to amend the contracts on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne ARC — Arcadia Janitorial Services for the contract period of July 1, 2011 through April 30, 2012 for janitorial services for certain County Buildings at annual costs not to exceed as follows:

COB #0003	9 Pearl Street	\$ 39,631.90
COB #0004	16 William Street	\$ 39,631.90
COB #0015	Highway Dept., 7227 Rt. 31	\$ 2,444.41

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

RESOLUTION NO. 561-11: AUTHORIZATION TO ACCEPT HIGH BID FOR ONE SURPLUS VACUUM STREET SWEEPER IN THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department was authorized to advertise for sealed bids on the 1999 Vacall vacuum street sweeper in resolution 456-11; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the vacuum street sweeper, and the bids were open on Thursday, August 11, 2011 at 10:00 a.m. and the following bids were received:

Village of East Rochester	\$25,501.00
Vantage Equipment	\$17,000.00

RESOLVED, that the bid submitted by the Village of East Rochester for the 1999 Vacall sweeper in the bid price of \$25,501.00, 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 Village of East Rochester in accordance with the bid acceptance.

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

RESOLUTION NO. 562-11: AUTHORIZATION TO AMEND 2011 MACHINERY COUNTY BUDGET

Mr. LeRoy presented the following:

WHEREAS, the usage and cost of fuel has increased necessitating an increase in the Machinery Budget for Diesel and Gasoline; and

WHEREAS, the costs of the fuel are charged back to the departments and other entities using the fuel; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to amend the DM Fund Highway Machinery Budget for 2011 as follows:

DM5130 – ROAD MACHINERY

(revenue)

\$216,000.00 to .42304 Material reimbursements

(appropriations)

\$122,000.00 to .54121 Diesel

\$104,000.00 to .54128 Gasoline

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

RESOLUTION NO. 563-11: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH C&S COMPANIES FOR THE ALDERMAN ROAD BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, the Alderman Road Bridge project is funded with 80% Federal, 15% State and 5% local funds; and

WHEREAS, the realignment of the roadway required several Right of Way (ROW) acquisitions that were not part of the original design scope; resulting in an additional \$18,637 in mapping, appraisal, and payments costs; and

WHEREAS, the project is now in the construction phase which will require full time construction inspection services to document the contractors work; and

WHEREAS, the NYSDOT has approved this work as an eligible expense to be included in the project in the amount of \$287,363; and

WHEREAS, the project budget currently has enough funds to include the additional cost of \$18,637 for ROW work and \$287,363 for the construction inspection services, 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 C&S Companies for the not to exceed cost of \$306,000.00 associated with the additional right-of-way services and the construction inspection tasks for the Alderman Road Bridge Project (D5112-52905).

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

RESOLUTION NO. 564-11: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH POPLI ENGINEERS FOR THE ENVIRONMENTAL STUDIES ASSOCIATED WITH THE ARCADIA ZURICH ROAD BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, the Arcadia Zurich Road Bridge project is funded with 80% Federal, 15% State and 5% local funds; and

WHEREAS, the preliminary environmental screenings indicated that detailed investigations will be required regarding endangered/threatened species, hazardous waster, and asbestos containing materials; and

WHEREAS, the NYSDOT has approved this work as an eligible expense to be included in the project in the amount of \$9,556, 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 Popli Engineers for the not to exceed cost of \$9,556 associated with the additional design tasks for the Arcadia Zurich Road Bridge Project (D5112-52925).

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

RESOLUTION NO. 565-11: AUTHORIZATION TO DISPOSE OF VEHICLES IN THE HIGHWAY DEPARTMENT AND PURCHASE NEW VEHICLES

Mr. LeRoy presented the following:

WHEREAS, the Highway Department is currently using vehicles daily that have very high mileage and are in poor condition; and

WHEREAS, one vehicle will no longer pass inspection and must be taken out of service; and

WHEREAS, the Highway Department intends to purchase two new trucks with funds remaining in the Road Machinery Account (DM51302-52400) and a transfer from the Road Machinery (DM) Fund Balance; now, therefore be it

RESOLVED, that the 1998 Ford Taurus, VIN 1FAFP52U4WG151352 be taken out of service and sold for scrap; and be it further

RESOLVED, that the 1999 Ford Pickup, VIN 1FTZF1820XNC07034 be declared surplus and disposed of at the 2012 Palmyra Municipal auction; and be it further

RESOLVED, that the Highway Superintendent is authorized to purchase two pickup trucks from the OGS State bid at a total cost not to exceed \$48,792 using \$35,792 remaining in the Road Machinery Fund, Highway and Street Equipment (DM51302-52400) and a transfer of 13,000 from the DM Fund Balance; and be it further

RESOLVED, that the Treasurer is authorized to transfer \$13,000 from the DM Fund Unappropriated Fund Balance to DM 51302-52400 Highway and Street Equipment.

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

EXECUTIVE SESSION: Mr. Spickerman moved, seconded by Mr. Plant that the Board go into Executive Session 8:05 p.m. to discuss proposed acquisition of real property. Upon roll call, carried.

REGULAR SESSION: Mr. Kelsch moved, seconded by Mrs. Crane that the Board resume regular session at 8:42 p.m. Carried.

RESOLUTION NO. 566-11: APPOINT SENIOR PLANNER TO THE WESTERN ERIE CANAL MAIN STREET PROJECT ADVISORY COMMITTEE

Mr. Spickerman presented the following:

WHEREAS, pursuant to the adoption of Resolution No. 346-11 and 508-11, the Board of Supervisors designated members to the Western Erie Canal Main Street Project Advisory Committee; and

WHEREAS, Wayne County served as the Project Sponsor for an application for funding from the NYS Local Waterfront Revitalization Program ("LWRP") and was awarded a \$240,000 grant; and

WHEREAS, the County should have representation on said advisory committee; now, therefore, be it

RESOLVED, that the Board of Supervisors appoints Amy D'Angelo, Senior Planner to the Advisory Committee approved by the New York State Department of State with regard to the establishment of the advisory committee; and be it further

RESOLVED, that claims processing will be handled by other staff members in the Planning Department, not Mrs. D'Angelo.

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

RESOLUTION NO. 567-11: RESOLUTION SETTING DATE FOR PUBLIC HEARING FOR CANDY APPLE DAY CARE CDBG PROGRAM AMENDMENT

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne was awarded a \$750,000.00 Community Development Block Grant (CDBG) administered by the New York State Office of Community Renewal on behalf of Candy Apple Day Care, Candy Apple Pre-School and Child Day Care Center on August 26, 2010; and

WHEREAS, Candy Apple Day Care has requested a possible program amendment; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the Clerk of the Board to advertise and conduct a public hearing to consider a program amendment which would involve a change in plans for the Candy Apple Day Care project; and be it further

RESOLVED, that the hearing be set for **Tuesday, October 18, 2011 at 10:00 a.m.** in the Board of Supervisors' Chambers at 26 Church Street, Lyons, New York; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to publish notice in the legal newspapers for the County for the first available publication.

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

RESOLUTION NO. 568-11: RESOLUTION AUTHORIZING ADDITIONAL PROFESSIONAL SERVICES FOR LABOR CONTRACT NEGOTIATION AND AMEND CONTRACT

Mrs. Collier presented the following:

WHEREAS, Resolution No. 555-10 (August 9, 2010) authorized the Chairman of the Board to enter into an agreement with Hancock & Estabrook, LLP to provide the County with professional negotiation services for collective bargaining; and

WHEREAS, the County will soon enter into negotiations with the Wayne County Sheriff's Court Officers' Association for a collective bargaining agreement beginning January 1, 2011; and

WHEREAS, the County desires to expand the current contract to include professional negotiation services for these negotiations; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby amends the current contract with Hancock & Estabrook, LLP to include negotiations with the Wayne County Sheriff's Court Officers' Association.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, except Supervisors Groat and Manktelow who voted Nay. The Chairman declared the resolution adopted.

RESOLUTION NO. 569-11: APPROVE CONTRACT WITH DOCUSOURCE OF ROCHESTER, NY FOR DIGITAL SCANNING OF 1855 CENSUS AND OTHERS FOR THE COUNTY HISTORIAN

Mrs. Collier presented the following:

WHEREAS, the County Historian has applied for and received a grant from the Hoffman Foundation in the sum of \$2000.00 to scanning for archiving purposes of original census documents beginning with the NYS Census of 1855; and

WHEREAS, DocuSource has provided a written quote for these scanning and archiving services on a piece work basis; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to sign the contract, based upon the review and approval of the County Attorney; and be it further

RESOLVED, that the contract will not exceed the grant/budget line amount of \$2000.00 (budget line A74104-54484)

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

RESOLUTION NO. 570-11: AUTHORIZATION TO AMEND BUDGET FOR NEGOTIATOR SERVICES.

Mrs. Collier presented the following:

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

WHEREAS, there are two (2) collective bargaining agreements being negotiated, and the County anticipates beginning collective bargaining with an additional bargaining unit before the end of the calendar year; and

WHEREAS, additional funds are necessary for this purpose; therefore be it

RESOLVED, that the Wayne County Treasurer is hereby authorized to amend the 2011 budget as follows:

A1420 – County Attorney

(Appropriations)

\$22,000 to .54486 Union Contracts

A1990 0 Contingent Fund Gen.

(Appropriations)

\$22,000 from .54000 Contractor Account

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

RESOLUTION NO. 571-11: AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS FOR CONSULTANT SERVICES FOR WAYNE COUNTY COMPLIANCE PROGRAM

Mrs. Collier presented the following:

WHEREAS, the Wayne County Board of Supervisors adopted Resolution No. 96-10 adopting the Wayne County Compliance Plan; and

WHEREAS, the internal risk assessment sub committee of the Compliance Committee has determined the need for assistance in the risk analysis area; and

WHEREAS, the Wayne County Compliance Officer and Compliance Committee have determined that additional expertise is needed to continue the County's compliance efforts in the area of Risk Assessment; now, therefore, be it

RESOLVED, that the County Administrator is hereby authorized to issue a Request for Proposals for compliance support services/risk analysis and needed remedies.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Bender.

Mr. Groat asked if this request for proposal was needed for a health and safety matter. Mr. Marquette explained that consultant services are necessary because the county receives Medicare funding.

Upon roll call, adopted.

RESOLUTION NO. 572-11: AUTHORIZE AGREEMENT RENEWAL BETWEEN COUNTY OF WAYNE AND SODEXHO OPERATIONS, LLC

Ms. Park presented the following:

WHEREAS, the contract with Sodexo Operations, LLC became effective January 1, 2009 and will terminate on December 31, 2011; and

WHEREAS, the County wishes to renew the agreement for a period of one (1) year; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisor be authorized and directed to execute the agreement renewal on behalf of the Wayne County Nursing Home, subject to the County Attorney's approval as to form and content for the period January 1, 2012 – December 31, 2013 pursuant to section 49 of the contract specifications.

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

RESOLUTION NO. 573-11: AUTHORIZING THE CHAIRMAN OF THE WAYNE COUNTY BOARD OF SUPERVISORS TO RENEW AN AGREEMENT BETWEEN THE WAYNE COUNTY NURSING HOME AND ONHEALTHCARE

Ms. Park presented the following:

WHEREAS, OnHealthcare (formerly OnSight Health Care) provides in-house optometrist services to the residents of the nursing home at no cost to the nursing home; and

WHEREAS, the current agreement with OnHealthcare expires on December 31, 2011; and

WHEREAS, the Wayne County Nursing Home wishes to renew the contract with OnHealthcare effective January 1, 2012 to renew automatically for successive one (1) year periods; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with OnHealth Care for the provision of optometrist services to the residents at the Wayne County Nursing Home effective January 1, 2012 at no cost to the facility and to renew automatically for successive one (1) year periods unless either party causes this agreement to expire by giving the other party written notice sixty (60) days prior to the upcoming renewal date; subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 574-11: AUTHORIZING CONTRACT FOR PODIATRY SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the contract between the County of Wayne and Dr. Douglas Ring, DPM, a Licensed Podiatrist, for the provision of podiatry services expires on December 31, 2011; and

WHEREAS, the Wayne County Nursing Home wishes to renew said contract at a fee of \$23 per resident visit for the period of January 1, 2012 to December 31, 2012; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to renew the agreement with Dr. Douglas Ring, DPM for the provision of podiatry services to the residents at the Wayne County Nursing Home from January 1, 2012 to December 31, 2012 at \$23 per resident; subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 575-11: AUTHORIZING CONTRACT FOR SOCIAL WORK SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the contract between the County of Wayne and Maria Gigliotti, a certified Social Worker, for the provision of social work services expires on December 31, 2011; and

WHEREAS, the Wayne County Nursing Home would like to renew said contract for the provision of Social Work Consultant services for the period of January 1, 2012 to December 31, 2012 at a fee of \$51.50 per hour; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to renew the agreement with Maria Gigliotti, for the provision of Social Work Consultant services to the residents at the Wayne County Nursing Home from January 1, 2012 to December 31, 2012 at a fee of \$51.50 per hour; subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 576-11: AUTHORIZATION TO AMEND RESOLUTION NO. 569-99, HOURLY RATE FOR CERTAIN EMPLOYEES OF THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, Resolution No. 569-99 authorized when a staff member goes from full time status to either part-time or substitute the employee's hourly rate of pay will remain at their current step rather than being decreased back to hire rate; and

WHEREAS, the Wayne County Nursing Home has experienced difficulty in filling staff nursing positions resulting in employees working overtime and the use of Agency personnel; and

WHEREAS, Wayne County encourages dedicated staff to pursue education resulting in a nursing degree to meet the needs of the residents of the Nursing Home; and

WHEREAS, it is recommended that Resolution No. 569-99 be amended that when personal circumstances necessitate a staff member to resign from full-time to part-time status due to the demands of the nursing course of study, the employee's hourly rate shall remain at their current step rather than being decreased back to hire rate; now, therefore be it

RESOLVED, Resolution No. 569-99 be amended that when personal circumstances necessitate a staff member to resign from full-time to part-time status due to the demands of the nursing course of study, the employee's hourly rate shall remain at their current step rather than being decreased back to hire rate; and be it further

RESOLVED, that any full time employee benefits will not be available but those benefits available as part time would be available in accordance with the CSEA Contract.

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

RESOLUTION NO. 577-11: AUTHORIZING TO EXECUTE AN AGREEMENT BETWEEN ROCHESTER GENERAL HEALTH SYSTEM AND WAYNE COUNTY NURSING HOME FOR EPICCARE LINK ACCESS

Ms. Park presented the following:

WHEREAS, Rochester General has licensed from Epic Systems Corporation certain software which allows users to remotely access patient electronic health records (EpicCare Link) created by affiliates of Rochester General and certain community physicians participating in the Care Connect program; and

WHEREAS, EpicCare Link has the capacity to allow certain staff at Nursing Home to view electronic health records of the residents for the sole purpose of treating the residents whose record is being accessed; and

WHEREAS, EpicCare Link will improve the quality of health care provided Rochester General Hospital and Wayne County Nursing Home at no cost to the nursing home; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with Rochester General Health System effective September 20, 2011 at no charge to the nursing home. Agreement is subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 578-11: AUTHORIZATION TO SEAL COAT THE PARKING LOTS AT THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, nursing home's parking lots require fill and seal coating; and

WHEREAS, quotes were received by Kevin Rooney, Superintendent of the Wayne County Highway Department; and

WHEREAS, three (3) quotes were received by Mr. Rooney:

G & G Sealcoating & Paving, Inc. \$17,100.00

Champion Asphalt Maintenance \$32,657.35

and

WHEREAS, the third quote received did not meet specifications per Mr. Rooney; and

WHEREAS, Mr. Rooney recommends G & G Sealcoating & Paving, Inc.; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home is hereby authorized to contract with G & G Sealcoating & Paving, Inc. for the provision of seal coating all nursing home parking lots at a cost not to exceed \$17,100.00.

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

RESOLUTION NO. 579-11: AUTHORIZING AGREEMENT WITH FIDELIS CARE NEW YORK FOR THE WAYNE COUNTY NURSING HOME TO BECOME A PARTICIPATING PROVIDER OF SKILLED NURSING SERVICES AND OUTPATIENT THERAPY SERVICES

Ms. Park presented the following:

WHEREAS, Fidelis Care New York has obtained contracts with the Centers for Medicare and Medicaid Services, pursuant to which Plan or its affiliate would provide, or arrange to provide, certain individuals with the benefits described in their selected plans issued or offered in connection with such contract(s) (individually and collectively, the "CMS Contract"); and

WHEREAS, Wayne County Nursing Home desires to contract with Fidelis Care New York, Inc. to provide, or arrange for associated providers to provide health care services, supplies and accommodations to individuals, all as hereafter provided in the Agreement; and

WHEREAS, the residents at Wayne County Nursing Home would have coverage or a benefit plan that includes health care coverage for individuals that is sponsored, issued or administered by a Payer in connection with a CMS Contract; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with Fidelis Care New York effective October 1, 2011; subject to the County Attorney's approval as to form and content, at no cost to the county.

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

RESOLUTION NO. 580-11: AUTHORIZATION FOR WAYNE COUNTY PUBLIC HEALTH TO DISPOSE OF EQUIPMENT

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has several equipment items that are in poor condition and require disposal as per the Wayne County Equipment Disposal Policy; and

WHEREAS, each piece of equipment is either non-repairable or too costly to repair and require disposal; now, therefore, be it

RESOLVED, that the Wayne County Public Health Director is hereby authorized and directed to declare the following pieces of equipment as non-repairable and to be disposed of as per the Wayne County Equipment Disposal Policy:

- Model 9500 Nonin Pulse Oximeter, serial # 500674746
- Lexmark C530 Color Laser Printer, serial # 9428B2W
- Canon 6412 Table Top Copier, Serial # NUN05694
- 10" Durabrand Portable DVD Player and Case, serial # EJ010GD 102289

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

RESOLUTION NO. 581-11: AUTHORIZATION FOR WAYNE COUNTY PUBLIC HEALTH TO DECLARE EQUIPMENT AS SURPLUS

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has several equipment items that are in fair condition and need to be declared as surplus as per the Wayne County Equipment Surplus Policy; and

WHEREAS, each piece of equipment is still usable and can go to auction; now, therefore, be it

RESOLVED that the Director of Public health is hereby authorized and directed to declare the following pieces of equipment as surplus and to be disposed of as per the Wayne County Equipment Surplus Policy:

- Magnavox 4 Head VHS Video Cassette Recorder, serial # 61869072
- Sanyo 4 Head Hi-Fi Stereo VCR, serial # 10604005

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

RESOLUTION NO. 582-11: AUTHORIZATION TO SUBMIT A BUDGET AND CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH, HEALTH RESEARCH INC. TO PERFORM EMERGENCY PREPAREDNESS ACTIVITIES

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently holds a grant with New York State Department of Health (NYSDOH), Health Research, Inc. to perform mandated Emergency Preparedness activities; and

WHEREAS, WCPH will receive a base award of \$83,438 for the contractual period of August 10, 2011 through August 9, 2012; and

WHEREAS, WCPH wishes to submit a budget and contract with the NYSDOH, Health Research, Inc; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to submit a budget to the NYSDOH, Health Research, Inc. for the amount of \$83,438 for the period August 10, 2011 through August 9, 2012; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contractual agreement with the NYSDOH Health Research, Inc. for the amount of \$83,438 for the period of August 10, 2011 through August 9, 2012 for WCPH to perform Emergency Preparedness activities, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 583-11: AUTHORIZATION TO RENT BILLBOARD SPACE FROM LAMAR ADVERTISING FOR LEAD POISONING PREVENTION GRANT

Ms. Park presented the following:

WHEREAS, there is money budgeted for the rental of space for the advertising of educational messages regarding lead poisoning prevention; and

WHEREAS, the costs include rental of 2 billboard spaces for a minimum of 30 days at \$600 each and poster production charges of \$160 each; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to purchase billboard space and posters for education messages regarding lead poisoning prevention for a minimum of 30 days for an amount not to exceed \$1520 from Lamar Advertising.

A40110. 54573 LEAD.

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

RESOLUTION NO. 584-11: AUTHORIZATION TO EXECUTE A CONTRACT WITH HEALTH RESEARCH INSTITUTE, INC. FOR BREAST & CERVICAL CANCER EARLY DETECTION PROGRAM

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently has a contract with the New York State Department of Health (NYSDOH) to provide cancer screening services through the Cancer Screening program of Wayne County; and

WHEREAS, Health Research Institute, Inc. wishes to subcontract with the Cancer Screening Program of Wayne County for the amount of \$31,356 for the project of Breast & Cervical Cancer Early Detection Program for the period of June 30, 2011 through June 29, 2012; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the subcontract with Health Research Institute, Inc., for the Breast & Cervical Cancer Early Detection Program, subject to the approval of the County Attorney as to form and content, for the period of June 30, 2011 through June 29, 2012 for the amount not to exceed \$31,356.

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

RESOLUTION NO. 585-11: AUTHORIZATION TO SIGN EPICCARE LINK ACCESS AGREEMENT WITH ROCHESTER GENERAL HEALTH SYSTEM AND WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) participates in the Rochester General Health System's (RGHS) Care Connect program; and

WHEREAS, WCPH currently has access to the RGHS Citrix program to view remotely patients electronic health records for the Tuberculosis program; and

WHEREAS, the RGHS will be discontinuing the Citrix program and instituting the EpicCare Link electronic health record; and

WHEREAS, RGHS requires an EpicCare Link Access Agreement to be signed prior to having WCPH staff trained in the EpicCare Link program; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to sign the EpicCare Link Access Agreement and to identify staff to have privileges for access, subject

to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 586-11: AUTHORIZATION TO RENEW THE CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH'S CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently contracts annually with the New York State Department of Health (NYSDOH) for the Children with Special Health Care Needs program; and

WHEREAS, the NYSDOH wishes to change the annual contracting process to a multiyear contract; and

WHEREAS, WCPH will receive \$20,746 annually for the period of October 1, 2011 to September 30, 2014; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to submit a budget and work plan for the time period of October 1, 2011 to September 30, 2014 to the NYSDOH Children with Special Health Care Needs program; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to contract with the NYSDOH Children with Special Health Care Needs program for the period of October 1, 2011 to September 30, 2014 for an amount of \$20,746 annually, with a three year total contract amount not to exceed \$62,238, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 587-11: AUTHORIZATION TO ENTER INTO AN AGREEMENT TO SELL THE WAYNE COUNTY CERTIFIED HOME HEALTH AGENCY OPERATING CERTIFICATE AND ASSETS WITH L. WOERNER, INC. D/B/A HCR

Ms. Park presented the following:

WHEREAS, Resolution No. 469-11 that authorized the selection of L. Woerner d/b/a HCR as the successful proposer for the purchase of the Wayne County Certified Home Health Agency; and

WHEREAS, HCR has paid an \$85,000 to the County as a deposit for this transaction; and

WHEREAS, the County Attorney, County Administrator, and Public Health Director have met and discussed with HCR representatives the appropriate documents to facilitate the sale of the CHHA; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement to sell the CHHA Operating Certificate and related account assets to L. Woerner, Inc. d/b/a/ HCR for a total amount of \$850,000 subject to the review and approval of the County Attorney.

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

Mrs. Crane asked if this proposed resolution was adopted already. Mr. Marquette explained that we accepted them as the company to negotiate with but we did not officially do the sale agreement and that is what we are in the process of doing.

Upon roll call, all Supervisors voted Aye except Supervisors Colacino, Spickerman, Groat and Crane who voted Nay. The Chairman declared the resolution adopted. The Chairman declared the Resolution adopted.

RESOLUTION NO. 588-11: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH L. WOERNER, INC. D/B/A HCR FOR MANAGEMENT AND STAFFING SERVICES FOR THE CERTIFIED HOME HEALTH CARE AGENCY

Ms. Park presented the following:

WHEREAS, Resolution 469-11 Authorized the Selection L. Woerner d/b/a HCR as the successful proposer for the purchase of the Wayne County Certified Home Health Agency; and
WHEREAS, Wayne County is in the process of selling the Operating Certificate to HCR; and

WHEREAS, the sale must be approved by the New York State Health Department; and
WHEREAS, the process could take up to one year; and

WHEREAS, the County Attorney, County Administrator, and Public Health Director have met and discussed with HCR representatives the appropriate documents to facilitate the sale of the CHHA; and

WHEREAS, it has been determined that it is in the county's interest to enter into management and staffing agreements with HCR during the sale period; and

WHEREAS, the Management Agreement will cost \$10,000 per month; and

WHEREAS, the Staffing and Other Services Agreement is paid on a fee basis per a defined schedule; and

WHEREAS, during the periods of the Management and Staffing/Other Services Agreements the county will receive all revenues associated with operating the CHHA; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a Management Agreement with L. Woerner, Inc. d/b/a/ HCR at a cost of \$10,000 per month not to exceed \$120,000 subject to the review and approval of the County Attorney; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a Nursing, Therapy, and Other Services Agreement with L. Woerner, Inc. d/b/a/ HCR per the fee schedule listed below:

Skilled Nursing	\$125 per visit
Physical Therapy	110 per visit
Speech Language Therapy	110 per visit
Registered Dietitian	110 per visit
Medical Social Worker	110 per visit
Home Health Aide	26 per hour
Billing Services	50 hours per month x \$24= \$1200/month

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

RESOLUTION NO. 589-11: AUTHORIZATION TO RENEW CONTRACT FOR TITLE V SENIOR EMPLOYMENT SERVICES WITH FINGER LAKES WORKS

Mrs. Crane 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 \$37,238 for the grant period of July 1, 2011 through June 30, 2012.

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

RESOLUTION NO. 590-11: AUTHORIZE NY CONNECTS GRANT APPLICATION FOR THE DEPARTMENT OF AGING AND YOUTH

Mrs. Crane presented the following:

WHEREAS, NY Connects Program provides consumer's comprehensive and unbiased

information and assistance regarding all long term care services and supports regardless of payer source, age or disability. The goal of NY Connects is to inform long term care consumers of community based resources and services, to prevent or delay entry, into more costly institutional care; and

WHEREAS, NY State Office for Aging has notified Wayne County of the 2011-2012 grant application for funding in the amount of \$44,685, to administer this program; now, therefore, be it

RESOLVED, that the Department of Aging and Youth is authorized to apply for the NY Connects funding in the amount of \$44,685, subject to the County Attorney's review and approval, The grant is 100% funded. The program year runs from October 1, 2011 through September 30, 2012.

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

RESOLUTION NO. 591-11: AUTHORIZATION TO AMEND RESOLUTION NO. 793-10 FOR A SOCIAL SERVICES CONTRACT WITH YOUTH ADVOCACY PROGRAM

Mrs. Crane presented the following:

WHEREAS, Resolution No. 793-10 authorized a contract with Youth Advocacy Program (YAP) in an amount not to exceed \$320,000 for the timeframe 1/1/11-12/31/11 for the purpose of reducing youth out-of-home placements; and

WHEREAS, the State of New York has made additional monies available through the Supervision and Treatment Services for Juveniles Program (STSJP); and

WHEREAS, the Wayne County Department of Social Services (DSS) has been designated the lead agency for the STSJP funding; and

WHEREAS, the Youth Advocacy Program (YAP) has been successful at reducing the total number of youth placed outside of their homes as well as the cost associated with these placements; and

WHEREAS, Wayne DSS desires to expand diversion services through the use of STSJP funding through truancy-focused services provided by YAP; now, therefore, be it

RESOLVED, that Resolution #793-10 is hereby amended to total \$359,000 for the timeframe of 1/1/11-12/31/11 for the purposes of reducing out of home detention, foster care and residential placements; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into an amended contract, subject to the County Attorney's review, with the Youth Advocacy Program in an amount not to exceed \$359,000 for the timeframe 1/1/11 - 12/31/11 at no additional cost to the County.

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

RESOLUTION NO. 592-11: AUTHORIZE AMENDMENTS TO THE 2011 WFD BUDGETS

Mrs. Crane presented the following:

WHEREAS, the Wayne County Workforce Development Office (WFD) has renewed contracts and budgets for Adult, Youth, and Dislocated Worker programs with the Finger Lakes Workforce Investment Board, Inc. (FLWIB); and

WHEREAS, renewal of these contracts require budget adjustments to reflect changes, as they follow a calendar year of July 1 to June 30; now, therefore, be it

RESOLVED, that based on current funding allocations, the County Treasurer is hereby directed to make the following amendments of the 2011 County Budget as indicated below:

A6293 WIA Adult
\$4000 from 44712 Revenue
Appropriations
\$ 325 from 51256 E & T Coordinator
\$140 from 54410 conference
\$200 from 54456 printing
\$2800 from 58100 retirement
\$1535 from 58400 hospitalization
\$1000 to 54485 travel

A6294 WIA Dislocated Worker
\$ 3650 from 44712 WFD Revenue
Appropriations
\$3390 from 51252 E & T Counselor
\$ 610 from 51256 E & T Coordinator
\$ 250 from 54150 Office Supplies
\$50 from 54166 Postage
\$150 from 54230 phone
\$200 from 58100 Retirement
\$280 from 58200 Social Security

\$680 from 58400 hospitalization
\$240 from 54410 conference
\$2000 to 54485 Travel
\$200 to 54408 copier

A6295 WIA Youth
\$924 to 44712 WFD Revenue
Appropriations
\$ 155 from 54150 Office supplies
\$ 200 from 54166 Postage
\$ 300 from 54230 Phone
\$ 37 from 54410 Conference
\$2300 from 58100 Retirement
\$1440 from 58200 Social Security
\$114 from 54456 Printing
\$ 300 to 54485 Travel
\$ 285 to 51252 E & T Counselor
\$ 4435 to 51357 Work Experience
\$ 450 to 58400 hospitalization

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

RESOLUTION NO. 593-11: APPROVAL OF REQUEST FOR APPOINTMENT TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD

Mrs. Crane presented the following:

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

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

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

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

RESOLVED, that the Wayne County Board of Supervisors does hereby appoint: Michael Davis, Business Manager of IBEW Local Union 840 to replace Clark Culver, Organized Labor representative and Theodore Jordan to replace Wilson Augustave, Regional Administrator of Path Stone Corporation, to the Finger Lakes Workforce Investment Board to fill these slots until the expired term of 6/30/2013.

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

RULE 15 RESOLUTIONS

RESOLUTION NO. 594-11: AUTHORIZATION TO ACCEPT BID FOR REPLACEMENT OF MASONRY LANDING ON THE EAST SIDE ENTRANCE TO THE DEPARTMENT OF SOCIAL SERVICES

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the replacement of masonry landing on the east side entrance to the Department of Social Services, and the bids were publicly opened on Monday, September 12, 2011 at 1:30 p.m. and the following bid was received:

Nicoletta Building Contractors, Inc. **\$ 38,350.00**

108 Davis Parkway
Clyde, NY 14433

WHEREAS, Nicoletta Building Contractors submitted a voluntary alternate for the railing, adding a stainless steel railing in lieu of galvanized, at an additional cost of **\$2,463.00** to the base bid; and

WHEREAS, the Superintendent of Buildings and Grounds and the County Attorney have reviewed the proposed bids received; now, therefore, be it

RESOLVED, that 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 Nicoletta Building Contractors, Inc. for the replacement of masonry landing on the east side entrance to the Department of Social Services, at a cost not to exceed: **\$ 40,813.00**, that includes the additional alternate price for the use of stainless steel for the railings.

Mr. LeRoy made a motion, seconded by Mr. Kelsch, to amend the proposed resolution, as follows:

“RESOLUTION NO. 594-11: AUTHORIZATION TO REJECT BID RECEIVED AND ADVERTISE FOR REQUEST FOR PROPOSALS FOR REPLACEMENT OF MASONRY LANDING ON THE EAST SIDE ENTRANCE TO THE DEPARTMENT OF SOCIAL SERVICES”

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the replacement of masonry landing on the east side entrance to the Department of Social Services, and the bids were publicly opened on Monday, September 12, 2011 at 1:30 p.m. and the following bid was received:

Nicoletta Building Contractors, Inc. **\$ 38,350.00**
108 Davis Parkway
Clyde, NY 14433

WHEREAS, Nicoletta Building Contractors submitted a voluntary alternate for the railing, adding a stainless steel railing in lieu of galvanized, at an additional cost of **\$2,463.00** to the base bid; and

WHEREAS, the Superintendent of Buildings and Grounds and the County Attorney have reviewed the proposed bids received; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby rejects the bid submitted by Nicoletta; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized and directed to prepare and distribute a Request for Proposals (RFP) for the replacement of masonry landing on the east side entrance to the Department of Social Services, subject to approval as to form and content by the County Attorney; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds shall review all proposals and present a record of the RFP's and his recommendation to the Public Works Committee and the Board of Supervisors following the opening for final approval.”

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

Mr. Colacino addressed the Board to note that he opposes the amendment to the original resolution and explained several reasons why the Board should award this bid to Nicoletta Contractors. He supports the voluntary alternative of adding the stainless steel railing to the building project as this is a chance to keep our standards high.

Mr. Plant and Mrs. Crane both stated that this has nothing to do with the contractor who

submitted the bid, but simply that the bid submitted is too high a price for the County to spend on this project.

Mr. LeRoy added, with no disrespect to Nicoletta, this is not a question of this outstanding contractor, but simply that we are looking into utilizing the services of our Buildings and Grounds and Highway Departments to lower to overall cost of the project. He also noted that Nicoletta Contractors could very well win the Request for Proposal for masonry services that relates to this proposed amendment.

Mr. Groat requested that we not support the amendment at this time but to have our council review what our options are on the existing bid. Secondly, he added that this area to be repaired is attached to the foundation/brick area of the building and he is not sure if the demolition should be done in-house, as this is considered an area of high expertise.

The Chairman called for a vote to amend the resolution as presented.

Upon roll call to amend the resolution, all Supervisors voted Aye except Supervisors Colacino, Groat, Crane and Manktelow who voted Nay. The Chairman declared the motion carried.

Upon roll call to adopt the amended resolution.

Mr. Lauderdale reiterated to board members that if you vote yes, you are voting on the amended resolution, which is to reject the original bid and to authorize the County to request proposals.

All Supervisors voted Aye except Supervisors Colacino, Groat and Manktelow who voted Nay. The Chairman declared the amended Resolution adopted.

RESOLUTION NO. 595-11: AUTHORIZATION TO AWARD TERM CONTRACTS FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR VARIOUS COUNTY PROJECTS FOR FUTURE NEEDED SERVICES

Mr. LeRoy presented the following:

WHEREAS, pursuant to Resolution No. 339-11, the Board authorized the Buildings and Grounds and Highway Superintendents to collectively issue a Request for Qualifications for Architectural and Engineering Firms as per the needs of the Highway and Buildings and Grounds Departments for various projects, meeting a predetermined criteria and fiscal threshold for the purpose of putting A&E firms on term contract for future needed services; and

WHEREAS, the Superintendents of Buildings and Grounds and Highway Departments issued said Request for Qualifications for General Architectural, Engineering and Testing Services for Term Agreements for Consulting and Testing Services on smaller priority projects within the Highway Department and the Buildings and Grounds Department; and

WHEREAS, 17 requests for qualifications were received in response to the RFQ; and WHEREAS, the Ad-Hoc Committee conducted an extensive review of qualifications received for these services which resulted in a short list of 4 firms for interviews; and

WHEREAS, each short listed design team was interviewed by the Committee; and

WHEREAS, as a result of the evaluation during the interview process, the Committee recommended term contracts be approved for SWBR Architects, Lu Engineers, Labella Associates, and Hunt Engineers, to provide said services; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby accepts the recommendation of the Ad-Hoc Committee and authorizes the County Administrator, County Attorney, Superintendent of Buildings and Grounds and the Highway Superintendent County Attorney to prepare contracts with said firms; and be it further

RESOLVED, that the contracts shall be limited to a maximum cost of \$20,000 per project for the Architectural or Engineering Service portion of the project; and be it further

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

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

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

call, adopted.

OTHER BUSINESS

Mr. Plant moved, seconded by Mrs. Crane that one (1) resolution be allowed on the floor under other business. Motion carried.

RESOLUTION NO. 596-11: AUTHORIZATION TO AMEND TO 2011 COUNTY BUDGET FOR THE PURCHASE OF SHOTGUNS

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office is in immediate need of three (3) replacement police shotguns that that are designated for marked patrol vehicles; and

WHEREAS, the aforementioned shotguns are not budgeted equipment items; and

WHEREAS, there is currently \$4,377.54 in unexpended Detective miscellaneous expenditure account funds; and

WHEREAS, the total cost of the 3 replacement shotguns is \$1,550.00; and

WHEREAS, the Sheriff is requesting that the 2011 County Budget be amended, and he be authorized to purchase 3 police shotguns, not to exceed a total cost of \$1,550.00; now, therefore, be it

RESOLVED, the Sheriff is hereby authorized to purchase 3 police shotguns at a total cost not to exceed \$1550.00; and be it further

RESOLVED, that the County Treasurer is hereby authorized to make the following adjustment to the 2011 budget:

Account No. A3115 – Detective

(appropriations)

\$1550.00 from .54600 miscellaneous

Account No. A3114 – Road Patrol

(appropriations)

\$1550.00 to .52500 other equipment

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

The Chairman asked if there were any other business to come before the board.

Mr. Lauderdale inquired on the proposed changes to the Rules of Order that were adopted several weeks ago. Mr. Plant informed the Board that the Board's Rules of Order were revised after the 45-day permissive referendum waiting period was over; and the changes are now in effect. Updated copies of the Rules of Order were distributed and placed on Board Member's desks prior to this meeting.

Ms. Park requested to take this opportunity to recognize and complement Supervisor Steve LeRoy from Sodus, on his national television debut on the FOX News Network; and added that he did an outstanding job in representing the county.

ADJOURNMENT:

Chairman Hoffman announced that the next scheduled meeting of the Board is Tuesday, October 18, 2011 at 9:00 a.m.

Mr. Kelsch moved, seconded by Ms. Park, that the board be adjourned at 9:14 p.m. Carried.

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