

20th Day  
Tuesday, October 18, 2011  
9:00 a.m.

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

The Pledge of Allegiance was led by Supervisor 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.

**PROCLAMATION - Domestic Violence Awareness Month**

Chairman Hoffman informed the Board that due to a pending court appointment, he would be changing the order of the agenda this morning to accommodate District Attorney Richard Healy. Mr. Healy read the proclamation, declaring the month of October as Domestic Violence Awareness Month in Wayne County.

**APPROVAL OF MINUTES:**

Mr. Plant 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:

A copy of the Sheriff's Cash Receipts Report, dated October 14, 2011, in the amount of \$12,943.55, was received and filed.

A letter and official copy of the notification of grant award was received from the NYS Office for the Aging for the Title V Senior Community Service Employment Program for the period July 2011 through June 2012.

A copy of the Petition and Notice of Foreclosure for 2010 Delinquent Town and County Taxes was received and provided from the Wayne County Treasurer's Office.

A program report was received from the Wayne County Soil & Water Conservation District, outlining the county contracts for the 2011 Weed Harvesting and Agricultural Drainage Programs, as well as current and new maintenance projects with associated costs.

Notice of a Public Hearing that was held October 11, 2011, was received from the Town of Phelps in Ontario County regarding their intent to establish a Moratorium on Horizontal and Directional Gas Drilling and Hydraulic Fracturing.

Copies of certified resolutions were received from the Ontario County and the Seneca County Boards of Supervisors regarding appointments to the Finger Lakes Workforce Investment Board.

A letter was received from the NYS Office of Parks, Recreation and Historic Preservation informing the Board of the approval of 2010-2011 Phase III grant funding for snowmobile trail development and maintenance to help provide assistance in maintaining approve trail miles.

A thank you note was received from the Eldridge Park Carousel Preservation Society in Elmira New York, for the generous donation from Board members, in memory of Elizabeth Baker, Supervisor Bender's mother.

A copy of the Wayne County Auditor's accounts payable report was received for payments made in September 2011 totaling \$3,826,133.62.

A special thank you note was received from Supervisor Jolene Bender and her family, personally thanking board members and staff for the generous donation made to Eldridge Park in memory of her mother.

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

**ANNUAL REPORTS:**

Chairman Hoffman acknowledged receipt of the financial statements from the Central New York Regional Market Authority and referred them to the appropriate standing committee.

Mr. Plant moved, seconded by Mrs. Collier, that the report be received and filed. Upon roll call, carried.

**PROCLAMATION - Breast Cancer Awareness Month**

Supervisor Laurie Crane, on behalf of the Board, read the proclamation declaring October 2011 as Breast Cancer Awareness Month in Wayne County.

**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.

**SCHEDULED BUSINESS**

Margaret Churchill, Executive Director of Wayne Economic Development Corporation introduced Mark Klyczek, Douglas Stark and Trisha Koczent from Newark-Wayne Community Hospital, along with IDA Bond Council Christopher Andreuzci and IDA Legal Counsel John Morell were also present for a discussion for the Board of Supervisors to approve the issuance of civic facility development corporation grant funds to the Newark-Wayne Community Hospital Project. Funds are to be spent for acquisition, construction renovation and equipping at the hospital in Newark. The amount of the issuance is \$8.5 million. Newark-Wayne Community Hospital is an acute care facility that is affiliated with Rochester General Hospital and other medical care facilities in the area. Mr. Klyczek noted the continued growth at the hospital in both patients and the number of doctor's utilizing the facility. Utilization of the facility grew 17% from 2007-2010, the majority of growth being in in-patient surgical procedures and adult day care. Mr. Klyczek said this bond issuance is needed so the hospital can replace its Emergency Department, including the renovation and relocation of key outpatient services to make the hospital more customer-friendly and functionally efficient, as well as, upgrade technology and provide flexibility for future growth and change.

Supervisors asked several questions relating to the total number employees employed; the risks involved and any liability to the County; as well as, social workers affiliated with the Rochester General Health System reluctance to refer discharged patients to the Wayne County Nursing Home for continued care and rehabilitation services.

**RESOLUTION NO. 597-11: AUTHORIZATION TO TRANSFER A COUNTY VEHICLE FROM DEPARTMENT OF PUBLIC HEALTH TO DEPARTMENT OF AGING AND YOUTH**

Mrs. Crane presented the following:

WHEREAS, the Wayne County Public Health Certified Home Health Agencies (CHHA) Program is scheduled to be sold and as a result, the vehicles associated with the CHHA program will no longer be required by the Public Health Department; and

WHEREAS, the Department of Aging and Youth's runaway service worker and FACT caseworkers, transports clients, in their privately owned vehicles to various appointments, in the course of their work duties; and

WHEREAS, it is preferable that clients be transferred in county vehicles; and

WHEREAS, the Public Health Director has identified one of the CHHA Program vehicles, a 2002 Chevy, VIN# 1G1JC524227353996 to transfer to the Department of Aging and Youth; now, therefore, be it

RESOLVED, that Wayne County Dept. of Public Health transfers the CHHA 2002 Chevy Vehicle VIN# 1G1JC524227353996 to Wayne County Department of Aging and Youth.

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

**RESOLUTION NO. 598-11: AUTHORIZATION TO PURCHASE BROCHURES FOR THE FACT, RUNAWAY PROGRAM AND WAYNE COUNTY SERVICE GUIDES**

Mrs. Crane presented the following:

WHEREAS, the Department of Aging and Youth provides direct case management services for the Wayne County Runaway program; and

WHEREAS, the Department of Aging and Youth's Families and Communities Together (FACT) program serves families in eight school districts and collaborates with numerous agencies; and

WHEREAS, the Department of Aging and Youth service guide will be provided to schools, families and youth as a reference tool for assistance; and

WHEREAS, the following quotes were received for brochures and service guides:

	Runaway Brochures – 1,000	FACT Brochures – 1,000	Service Guides-1,000
<b>Wayuga Community Newspapers</b>	\$239.52	\$239.52	\$126.32
<b>Sunrise Imaging</b>	\$580.00	\$580.00	\$180.00
<b>Key Industries</b>	\$460.00	\$460.00	\$78.01

RESOLVED, the Department of Aging and Youth is authorized to contract with Wayuga Community Newspapers to print 1,000 brochures describing the FACT Program and 1,000 brochures describing the Runaway Program for a total cost of \$479.04. The Department of Aging and Youth is authorized to contract with Key Industries to print 1,000 service guides for a total cost of \$78.01. Total cost for 2,000 brochures and 1,000 service guides is \$557.05.

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

**RESOLUTION NO. 599-11: AUTHORIZATION TO ADVERTISE PART TIME DIRECTOR OF VETERANS SERVICES AND ESTABLISH SALARY**

Mrs. Crane presented the following:

WHEREAS, the Director of Veterans Services position (part time) has been vacant for a period of time; and

WHEREAS, an Interim Director of Veterans Services Director has been fulfilling the duties of the position; and

WHEREAS, it is now appropriate to begin the recruitment for a permanent Director of Veterans Services; now, therefore, be it

RESOLVED, that the Human Resources Director is directed to commence advertising for the position of Director of Veterans Services (part time); and be it further

RESOLVED, that the salary established for the position shall be up to \$27,640 per annum for a minimum of 25 hours per week; and be it further

RESOLVED that the Chairman of the Board of Supervisors is hereby authorized to appoint a selection committee to review applications once they are received, interview candidates, and make a recommendation to the Board of Supervisors.

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

**RESOLUTION NO. 600-11: RESOLUTION URGING MULTI-YEAR STATE TAKEOVER OF LOCAL SHARE OF MEDICAID**

Mrs. Crane presented the following:

WHEREAS, county officials across the state are presently introducing their 2012 budgets; and

WHEREAS, these budget decisions are being made under the constraints of the State's new property tax cap; and

WHEREAS, when State lawmakers enacted a property tax cap, they pledged to provide mandate relief that would enable and empower local leaders to implement that tax cap locally; and

and  
WHEREAS that mandate relief has not materialized; and

WHEREAS, By far, at a local statewide cost of \$7.3 billion, Medicaid is the number one mandate facing counties; and

WHEREAS, State Legislation (S.5889-B) will require state policymakers to take full fiscal responsibility for New York's largest in the nation Medicaid program, by implementing an eight (8) year gradual State takeover of county Medicaid costs; and

WHEREAS, removing county taxpayers from the financing of Medicaid is the single most important thing the State Legislature can do to lower property taxes for New Yorkers; and

WHEREAS, the State takeover of county Medicaid costs will lead to lower property taxes and enhance New York's economic competitiveness and improve economic opportunities for all New Yorkers; and

WHEREAS, state lawmakers can fund the takeover with a combination of Medicaid program reforms, state-derived savings and other spending controls, including, applying MRT (Medicaid Redesign Team) reform savings to mandate relief and pursuing a federal Medicaid waiver to leverage state cost containment initiatives that can be applied to property tax relief and applying future revenues to lowering property taxes and by allowing federal health care reforms to cover New Yorkers; now, therefore, be it

RESOLVED that the Board of Supervisors of the County of Wayne calls on State lawmakers to keep their promise, and sign on to legislation (S5889-B) designed to provide mandate relief for counties, in the form of an eight-year State takeover of county Medicaid costs.

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

Ms. Park took this opportunity to inform the visiting students of the Newark Government Class, that this particular resolution being presented today could directly affect their future plans of residing in Wayne County and/or New York State. This enactment will remove county taxpayers from the financing of Medicaid and aid in lowering property taxes for New Yorkers.

Upon roll call, adopted.

**RESOLUTION NO. 601-11: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO ESTABLISH NEW PART-TIME STAFF PSYCHIATRIST POSITION**

Ms. Park presented the following:

WHEREAS, the Mental Health Department in the course of its regular daily business relies on the services and expertise of a variety of professional licensed individuals to provide treatment to the patients receiving treatment in the various programs at Wayne Behavioral Health Network; and

WHEREAS, a psychiatrist position is needed in order to better meet program needs and maintain adequate medical staff coverage for the children's mental health treatment clinic; and

WHEREAS, this function remains essential to the operations of the department and will operate within the existing budget allowances as it was anticipated and planned for in the current budget; now, therefore, be it

RESOLVED, that the Mental Health Department is authorized to add one additional Staff Psychiatrist-Part time, Management & Confidential Position, at the rate of \$130 per hour.

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

**RESOLUTION NO. 602-11: AUTHORIZATION TO SET SALARY FOR PROGRAM SUPERVISOR POSITION FOR THE WAYNE COUNTY DEPARTMENT OF MENTAL HEALTH**

Ms. Park presented the following:

WHEREAS, this position has become vacant due to the resignation of the individual who formerly held the position of Program Supervisor, a confidential-management position in the Wayne County Department of Mental Health; and

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

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

WHEREAS, the Director and County Administrator has recommended a starting salary for this position consistent with the 2011 approved budget; and

WHEREAS, the departments need and ability to recruit for and fill the position is essential at this time; now, therefore, be it

RESOLVED, that the salary for the vacant Confidential-Management Program Supervisor position is hereby established up to \$52,183 per year.

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

**RESOLUTION NO. 603-11: AUTHORIZATION TO CONTRACT WITH TERRY COTTON AS REIMBURSEMENT CONSULTANT FOR THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, Terry Cotton, 1235 Hunters Run, Victor, NY 14564 has provided technical advice regarding nursing home reimbursement; and

WHEREAS, services will be needed through the end of the contract to analyze reimbursement methodology changes implemented by State and Federal agencies; and

WHEREAS, these services include assistance in preparations of rate appeals; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisor's be authorized and directed to execute an agreement to the contract 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, 2012 at a cost not to exceed \$17,500 calculated at \$110.00 per hour plus out of pocket expenses.

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

**RESOLUTION NO. 604-11: AUTHORIZING CONTRACT FOR DENTAL SERVICES FOR THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, the contract between the County of Wayne and the McClure Dental Service for providing dental services expires on December 31, 2011; and

WHEREAS, the Wayne County Nursing Home wishes to renew said contract for the period of January 1, 2012 – December 31, 2012; and

WHEREAS, McClure's annual service fee for 2012 \$32,040 (0% increase from last year) or \$2,670 per month; now, therefore, be it

RESOLVED, the Chairman of the Wayne County Board of Supervisors is authorized to execute an agreement effective January 1, 2012 with McClure Dental Services for an annual fee of \$32,040; subject to County Attorney's approval as to form and content.

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

**RESOLUTION NO. 605-11: AUTHORIZE THE ADMINISTRATOR OF WAYNE COUNTY NURSING HOME TO PURCHASE EQUIPMENT**

Ms. Park presented the following:

WHEREAS, the shower-bathing trolley and components have been submitted in the 2012 budget; and

WHEREAS, there are sufficient funds in the 2011 equipment budget to cover this expenditure; and

WHEREAS, the quote for the shower-bathing trolley and components totals \$9,471.86; and

WHEREAS, the shower-bathing trolley may help prevent worker's injury and aids in the safe handling of nursing home residents; and

WHEREAS, the Wayne County Nursing Home recommends the purchase the following equipment:

Quotes:

\* SureHands lift & Care System (only quote)

<u>Description</u>	<u>Total</u>
1 - Shower-Bathing Trolley, w/adaption for side rails, Hi-Lo	8,698.00
1- New wedge, incline & positioning for use with 3370 shower	203.11
1- New Removable Battery box pack	185.45
1- Handi roll board flexible with the cover included	572.00
Amount	9,658.56
3.0% discount	- 289.76
<u>Shipping and Handling</u>	<u>\$ 103.06</u>
<b>TOTAL</b>	<b>9,471.86</b>

now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to approve the purchase of the Shower-Bathing Trolley Unit.

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

**RESOLUTION NO. 606-11: AUTHORIZING THE WAYNE COUNTY NURSING HOME TO CONTRACT WITH SIBLEY NURSING PERSONNEL SERVICES, INC.**

Ms. Park presented the following:

WHEREAS, the current contract with Sibley Nursing Personnel Services, Inc., Geneva, New York for Licensed Nursing services expires December 31, 2011; and

WHEREAS, the nursing home would like to renew said contract from January 1, 2012 to December 31, 2012; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute an agreement with Sibley Nursing Personnel Service, Inc., on behalf of the Wayne County Nursing Home for licensed nursing services effective January 1, 2012 to December 31, 2012 according to the rate schedule of:

	<u>Weekday Rate</u>	<u>Weekend Rate</u>
RN Charge/Supervision	\$59.00 per hour	\$59.00 per hour
RN	\$47.25 per hour	\$47.25 per hour
LPN	\$34.00 per hour	\$34.00 per hour

Overtime for hours worked in excess of 40 hours in one week and work on holidays are paid at the rate of one-and one half times (1-1/2) the bill rate and subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 607-11: AUTHORIZING TO EXECUTE AN AGREEMENT BETWEEN ROCHESTER GENERAL HOSPITAL AND THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, Elder Medical Services contract provides medical direction and direct resident care; and

WHEREAS, the contract with Elder Medical Services expires February 29, 2012; and

WHEREAS, the nursing home is desirous to contract with Rochester General Hospital for

the medical direction services for the period January 1, 2012 to December 31, 2012 at a total cost of \$50,000 a year; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the contract with Rochester General Hospital effective January 1, 2012 to December 31, 2012 at a total cost of \$50,000 a year, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 608-11: AUTHORIZING THE WAYNE COUNTY NURSING HOME TO CONTRACT WITH NURSEFINDERS FOR 2012**

Ms. Park presented the following:

WHEREAS, the contract between the County of Wayne and Nursefinders, Canandaigua, New York for Registered Nurse and/ or Licensed Practical Nurse coverage expires on December 31, 2011; and

WHEREAS, the Wayne County Nursing Home wishes to renew said contract for the period of January 1, 2012 – December 31, 2012; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized and directed to execute an agreement, subject to the County Attorney's approval as to form and content and the approval of the 2012 budget, with Nursefinders for the provision of Registered Nurse and /or Licensed Practical Nurse coverage at the Wayne County Nursing Home effective January 1, 2012 to December 31, 2012 at the following rates:

**BILLING RATE (Per Hour)**

	M-F	M-F	M-TH	WEEKEND	WEEKEND
Registered Nurse Supervision	\$58.00	\$58.00	\$58.00	\$58.50	\$58.50
Registered Nurse	\$50.00	\$50.00	\$50.00	\$51.00	\$51.00
Licensed Practical Nurse	\$40.00	\$40.00	\$40.00	\$40.50	\$40.50
Certified Nursing Assistant	\$24.00	\$24.00	\$24.00	\$24.50	\$24.50

Overtime is defined as those hours worked in excess of forty (40) hours in a one week pay period. Overtime must have Facility supervision approval. The overtime rate is one and one-half (1½) times the regular billing rate for each hour worked.

Holiday rates are paid for the day, evening and night shifts on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas and for the evening and night shifts on Christmas Eve and New Year's Eve. The holiday billing rate is one and one-half (1½) times the regular billing rate for each hour worked.

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

**RESOLUTION NO. 609-11: AUTHORIZATION TO ESTABLISH FLU & PNEUMONIA VACCINATION RATES FOR 2011-2012 SEASON**

Ms. Park presented the following:

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

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

RESOLVED, that the Director of Public Health is hereby authorized and directed to establish the following rates effective Sept. 24, 2011:

Flu vaccine \$13.00, administration \$17.00, Total \$30.00 per vaccination

Pneumonia vaccine \$48.00 administration \$17.00, total \$65.00 per vaccination

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

**RESOLUTION NO. 610-11: AUTHORIZATION FOR WAYNE COUNTY PUBLIC HEALTH TO CONTRACT WITH S2AY RURAL HEALTH NETWORK FOR MEMBERSHIP TO THE FINGER LAKES PUBLIC HEALTH ALLIANCE FOR 2011**

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) is mandated by the New York State Department of Health to perform emergency preparedness activities; and

WHEREAS, several counties (Seneca, Schuyler, Steuben, Yates, Ontario, Wayne, Chemung, Livingston, and Monroe) partner together to work on emergency preparedness initiatives and to maintain good communication and coordination of activities related to emergency public health planning; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to contract with the S2AY Rural Health Network on behalf of Wayne County Public Health for membership to the Finger Lakes Public Health Alliance to assist in performing emergency public health planning from January 1, 2011 to December 31, 2011 for an amount not to exceed \$1700, subject to approval from the County Attorney as to form and content.

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

**RESOLUTION NO. 611-11: 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 poor 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:

- ◆ Dell Optiplex GX280-2.8GHZ, P4 Computer, SN# CL6HX61 with a UPS back up unit LS700
- ◆ Dell Optiplex GX270-2.8GHZ, P4 computer, SN# 47PJB51 with a UPS back up unit LS700

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

**RESOLUTION NO. 612-11: AUTHORIZATION TO AMEND RESOLUTION 583-11 APPROVING RENTAL OF BILLBOARD SPACE FROM LAMAR ADVERTISING FOR THE LEAD POISONING PREVENTION PROGRAM**

Ms. Park presented the following:

WHEREAS, the initial approved resolution 583-11, approving rental of a billboard from Lamar Advertising for the Lead Poisoning Prevention Program, had an amount of not to exceed \$1520.00; and

WHEREAS, the actual total amount of the 2 billboard spaces and poster production for a minimum period of 30 days is \$1574.00; now, therefore, be it

RESOLVED, that resolution 583-11 is hereby amended to state 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 \$1574.00 from Lamar Advertising.

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

**RESOLUTION NO. 613-11: RESOLUTION OPPOSING THE POWER OF NY ACT OF 2011**

Mrs. Collier presented the following:

WHEREAS, New York State recently enacted legislation known as the Power of NY Act of 2011; and

WHEREAS, Said legislation amended the public service law by adding a new article 10, which establishes a New York State Board of Electrical Generation Siting and the Environment; and

WHEREAS, Said Board will have the authority to permit the siting of electrical generating facilities in the State which have a nameplate generating capacity of twenty-five thousand kilowatts or more; and

WHEREAS, Previously, while various state agencies had regulatory oversight for such facilities, as a home rule state, New York's local municipalities, by virtue of decisions made by locally-elected representatives, could ultimately decide whether such development was in their residents' best interests; and

WHEREAS, The Power of NY Act of 2011 removes said decision making from local municipalities, and puts that authority into the hands of a bureaucratic State board which will have nominal representation from affected communities, and even that representation cannot be from elected representatives of those communities; and

WHEREAS, the new Board will have the authority to ignore "any local ordinance, law...or any local standard or requirement...if it finds that...such is unreasonably burdensome...on ratepayers whether located inside or outside of such municipality"; and

WHEREAS, the new law further states that "no...municipality...may require any approval, consent, permit, certificate or other condition for the construction of operation" of such facility; and

WHEREAS, While the law provides for the set-aside of funds for pre-hearing research on behalf of the affected communities, said funds are controlled by the Board and will be allocated as it sees fit; and

WHEREAS, The large majority of the Board's membership will have no connection to the affected communities and will not be directly affected by their decisions; and

WHEREAS, While municipalities may be a party to the siting hearings, so may any individual within 5 miles of the proposed facility's site, and therefore the municipality itself, which purpose, by law, is to represent the residents who elect its officials, is diminished to the level of each individual within the 5 mile radius, whether or not he/she lives in the affected municipality; and

WHEREAS, Said law follows a disturbing trend in New York State to remove powers from local jurisdictions and therefore from the affected electorate and transfer such powers to a faceless bureaucracy which has no constituency; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors opposes, protests, and expresses its deep disappointment and concern over the establishment of said siting Board and of the enactment of the Power NY Act of 2011; and further

RESOLVED, that the Clerk of this Board is directed to send certified copies to Governor Andrew Cuomo, Senator Michael Nozzolio, Assemblyman Robert Oaks, and the New York State Association of Counties.

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

**RESOLUTION NO. 614-11: AUTHORIZING EXTENSION OF APPOINTMENT OF INTERIM PLANNING DIRECTOR**

Mr. Spickerman presented the following:

WHEREAS, Resolution No. 439-11 appointed an Interim Planning Director through October 19, 2011; and

WHEREAS, it is necessary to extend the interim appointment; now, therefore, be it

RESOLVED, that Ora Rothfuss is hereby appointed Interim Director of Planning for the

period October 20, 2011 through January 18, 2012.

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

**RESOLUTION NO. 615-11: RESOLUTION OF THE WAYNE COUNTY BOARD OF SUPERVISORS, AS THE ELECTED LEGISLATIVE BODY OF WAYNE COUNTY, NEW YORK, IN ACCORDANCE WITH SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE"), APPROVING THE ISSUANCE BY THE WAYNE COUNTY CIVIC FACILITY DEVELOPMENT CORPORATION, IN ONE OR MORE SERIES, OF UP TO \$25,000,000 WAYNE COUNTY CIVIC FACILITY DEVELOPMENT CORPORATION REVENUE BONDS (NEWARK-WAYNE COMMUNITY HOSPITAL PROJECT), SERIES 2011**

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Board of Supervisors (the "Board"), as the elected legislative body of Wayne County, New York (the "County"), has been advised by the Wayne County Civic Facility Development Corporation (the "Issuer") that, in order to assist in the financing of a certain Project (as defined below) for the benefit of Newark-Wayne Community Hospital, a New York not-for-profit corporation (the "Hospital") and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), the Issuer proposes to issue, contingent upon the adoption of this Resolution, its Revenue Bonds (Newark-Wayne Community Hospital Project), Series 2011, in an aggregate principal amount presently estimated to be \$21,370,000 but not to exceed \$25,000,000 (collectively, the "Bonds"); and

WHEREAS, the Project shall consist of: (A) the acquisition, construction, renovation and equipping of a facility located on an approximately 38-acre parcel of land and situated at 1200 Driving Park Avenue, Village of Newark, Town of Arcadia, New York, including (i) the renovation, expansion and modernization of two existing procedure rooms in the Endoscopy suite totaling approximately 3,457 square-feet to allow for adequate pre- and post-procedure areas and support space, to comply with relevant building codes and address patient privacy concerns, (ii) the construction of approximately 12,500 square-feet of space and renovation of approximately 1,500 square-feet of space on the first floor of the Hospital to provide for a state of the art Emergency Department increasing the number of existing Hospital beds from 14 beds to 18 beds; (iii)(a) the renovation and modernization of an approximately 7,000 square-foot space for the creation of a Patient Access Center to consolidate select outpatient services, centralize patient registration, relocate lab blood draw and pre-admission testing, provide EKG and EEG testing and create a new patient waiting room, and (b) the infilling of the courtyard between the Hospital's main lobby and Emergency Department and the construction of an approximately 2,000 square-foot addition thereon to serve as a single consolidated main entrance with waiting room to correct internal circulation and improve vehicle flow; (B) the acquisition and installation in and around the Improvements of certain items of furniture, furnishings, equipment, machinery and other tangible personal property, (C) the refinancing of certain outstanding long-term indebtedness of the Hospital owed to Key Bank National Association totaling approximately \$8,564,844.70, and (D) funding a debt service reserve fund, if any, and paying capitalized interest, if any, and certain other costs incidental to the issuance of the Bonds; and

WHEREAS, the Issuer proposes to assist in the financing of the Project by issuing the Bonds to (i) pay all or a substantial portion of the cost of financing the Project and (ii) pay reserves and costs incidental to the issuance of the Bonds; and

WHEREAS, pursuant to Section 147(f) of the Code, interest on the Bonds will not be excludable from gross income for Federal income tax purposes unless the issuance of the Bonds is approved by the Board after a public hearing to consider both the issuance of the Bonds and the nature and location of the facilities financed therewith has been conducted following reasonable public notice; and

WHEREAS, on October 14, 2011, the Issuer held such a public hearing upon proper notice in compliance with Section 147(f) of the Code; and

WHEREAS, to aid the Board in its deliberations, the Issuer has made available to the members of the Board prior to this meeting (a) the Hospital's application to the Issuer for financial assistance; (b) the notice of public hearing published by the Issuer in *The Wayne Post* on September 28, 2011, along with the affidavit of publication of such newspaper; and (c) the minutes of such public hearing held on October 14, 2011; and

WHEREAS, the Board, after due consideration of the foregoing, as the "applicable elected representative" of the County within the meaning of Section 147(f)(2)(E) of the Code, desires to approve the issuance of the Bonds, provided the principal, premium, if any, and interest on the Bonds shall be special obligations of the Issuer and shall never be a debt of the State of New York (the "State") or any political subdivision thereof, including without limitation the County, and neither the State nor any political subdivision thereof, including without limitation the County, shall be liable thereon; now, therefore, be it

**RESOLVED BY THE BOARD OF SUPERVISORS OF WAYNE COUNTY, NEW YORK:**

Section 1. For the purpose of satisfying the approval requirement of Section 147(f) of the Code, the Board hereby gives its approval of the issuance by the Issuer of the Bonds and related acts to be taken by the Issuer as part of the Project, provided that the Bonds, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State or any political subdivision thereof, including without limitation the County, and neither the State nor any political subdivision thereof, including without limitation the County, shall be liable thereon. This approval is given pursuant to Section 147(f) of the Code for the sole purpose of qualifying the interest payable on the Bonds for exclusion from gross income for federal income tax purposes pursuant to the provisions of Sections 103 and 141-150 of the Code.

Section 2. This Resolution shall be deemed to be made for the benefit of the holders of the Bonds.

Section 3. This Resolution shall take effect immediately.

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

**EXECUTIVE SESSION:** Mr. Spickerman moved, seconded by Mr. LeRoy that the Board go into Executive Session at 9:50 a.m. to discuss the proposed lease of real property. Upon roll call, carried.

**REGULAR SESSION:** Mr. Plant moved, seconded by Mr. Kelsch, that the Board resume regular session at 10:18 a.m. Carried.

Chairman Hoffman announced that the Board would take a two minute recess before continuing. The Board resumed regular session at 10:20 a.m.

**RESOLUTION NO. 616-11: AUTHORIZATION TO SIGN COMMITMENT LETTER FOR ONTARIO MIDLAND RAILROAD**

Mr. Spickerman presented the following:

WHEREAS, pursuant to resolution 415-11 duly enacted by the Board of Supervisors on June 21, 2011, the Ontario Midland Railroad Corporation ("OMID") entered into a lease with Wayne County for the continued operation of the County owned railroad line for a term of five (5) years commencing October 1, 2011 through September 30, 2016; and

WHEREAS, OMID is applying for a grant through New York State Department of Transportation ("NYS DOT") for funding for the railroad; and

WHEREAS, as a pre-requisite to receiving those funds, OMID is required to commit to the operation and maintenance of the project for a term of thirty (30) years; and

WHEREAS, OMID has indicated to NYS DOT that the term of this commitment exceeds the term of the lease with the County and therefore OMID would be unable to make such a

long term commitment; and

WHEREAS, Wayne County as the underlying fee owner hereby indicates its willingness to commit to the operation and maintenance of the project for the duration of said project as provided in the grant agreement; now, therefore, be it

RESOLVED, that the Chairman of Board of Supervisors is hereby authorized to execute any documentation relating to, applying for, and securing Grant funding for OMID through New York State Department of Transportation ("NYS DOT") related to NYS Consolidated Funding Application that is due on October 31, 2011, subject to the approval of the County Attorney as to content and form.

Mr. Spickerman moved to amend this resolution, seconded by Mr. Plant, for the fifth "WHEREAS" clause be amended to read as follows:

"WHEREAS, Wayne County as the underlying fee owner hereby indicates its willingness to commit to leaving the improvements intact for the duration of said project as provided in the grant agreement; now, therefore, be it"

Motion to amend was carried.

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

**RESOLUTION NO. 617-11: AUTHORIZATION TO CONTRACT WITH WATCHDOG BUILDING PARTNERS, LLC. FOR CONSTRUCTION ADMINISTRATION SERVICES IN CONJUNCTION WITH OUR ENERGY IMPROVEMENT PROJECT**

Mr. LeRoy presented the following:

WHEREAS; Wayne County has contracted with the Trane Company for energy related services and improvements to Wayne County buildings; and

WHEREAS, the Public Works committee agrees that it would be beneficial for Wayne County to contract with a construction manager to assist with multiple aspects of the project; and

WHEREAS, the cost of the Construction Manager will be included in the ESCO Project providing the county continues with the project beyond the first phase (pre-construction); now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with Watchdog Building Partners, LLC, subject to the approval of the County Attorney as to form and content for the Provision of Construction Management Services for the Energy Improvement Project as follows \$10,000.00 for the Pre-Construction Service Budget and \$30,000.00 for the Construction Service Budget.

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

**RESOLUTION NO. 618-11: AUTHORIZATION TO PURCHASE ARTWORK FOR WAYNE COUNTY LOGO (TABLED – 10/18/11)**

Mr. LeRoy presented the following:

WHEREAS, Towner Graphics has been working as a subcontractor to SWBR for the provision of a Wayfinding Signage Project; and

WHEREAS, we will be going out to bid soon for the Wayfinding Signage on State Route 31; and

WHEREAS, Towner Graphics has provide artwork that has been approved by the Public Works Committee for use on the signs; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to request and pay an invoice in the amount of \$1,950.00 from Towner Graphics that will give us exclusive rights for the use of the logo for the Wayfinding Signage Project and any other future uses Wayne County may have for the logo.

Mr. Miller made the motion to TABLE the resolution until the November Board Meeting.

Mr. Colacino agreed that signage for the new facility needs to be decided at the next meeting as the Wayfinding Signage Project is an urgent matter and we need to get this done.

Mr LeRoy seconded the motion on the floor. The Chairman declared the motion to table the resolution, carried.

**RESOLUTION NO. 619-11: AUTHORIZATION TO PURCHASE EXTENDED CONTRACT AND ENTER INTO MAINTENANCE AGREEMENT WITH MILTON CAT**

Mr. LeRoy presented the following:

WHEREAS, We have a new generator at our Public Safety Building; and

WHEREAS, Milton Cat has offered a full five year warranty in lieu of the two year that came with purchase at a cost of \$ \$4,860.00; and

WHEREAS, while the Generator is under the warranty period we should also enter into a maintenance agreement for a period of three years, with Milton Cat at an annual cost of \$ 1,603.00; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with Milton Cat, subject to the approval of the County Attorney as to form and content for the services listed above and detailed in their proposals which will become part of the agreement.

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

**RESOLUTION NO. 620-11: AUTHORIZE APPLICATION UNDER CONSOLIDATED FUNDING APPLICATION FOR SODUS POINT PARK REHABILITATION PROJECT**

Mr. LeRoy presented the following:

WHEREAS, the pavilion and public boat launch at Sodus Point Park are in dire need of renovation to create a safe environment for public use at an estimated cost of \$220,000; and

WHEREAS, the project is contained in the Wayne County Capital Improvement Program; and

WHEREAS, this project is directly adjacent to Lake Ontario and Sodus Bay; and

WHEREAS, the County Park is maintained by the Wayne County Parks Department and includes public beaches on Lake Ontario and Sodus Bay, a public boat launch and dock, a pavilion picnic area and small playground; and

WHEREAS, the Sheriff's Department and the U.S. Coast Guard are also located at the County Park; and

WHEREAS, an estimated 12,000 people utilize this park and facilities during the 70-day summer season, necessitating (19) seasonal employees as lifeguards, (4) seasonal employees for maintenance and upkeep; and

WHEREAS, a greenway trail links the park with the Village of Sodus Point Central Business District; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$110,000; and be it further

RESOLVED, that upon approval of said request, to enter into and execute a project agreement with the State for such financial assistance to this County of Wayne for Sodus Point Park Rehabilitation project; and be it further

RESOLVED, that if appropriate, to attach a conservation easement/preservation covenant to the deed of the assisted property, and be it further

RESOLVED, that Wayne County hereby commits \$110,000 of cash and in-kind contributions for the renovation and repair of the pavilion, dock and boat launch, contingent

upon notice from the State that the application for grants funds has been successful.

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

**RESOLUTION NO. 621-11: AUTHORIZATION TO PURCHASE ROLL-OUT SHELVING UNITS FOR THE FILING CABINETS IN VETERANS DEPARTMENT**

Mr. LeRoy presented the following:

WHEREAS, the filing cabinets ordered for the Veterans Dept. did not come with the roll out shelving units as originally thought; and

WHEREAS, the units are available and can be installed to perform as originally planned; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to purchase roll-out shelving units as per NYS Contract quoted by Caitlin in the amount of \$657.04, to be paid from the H19252.52807 project account.

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

**RESOLUTION NO. 622-11: AUTHORIZATION TO ADVERTISE FOR PROPOSALS FOR ENGINEERING SERVICES FOR THE B. FORMAN PARK EROSION CONTROL PROJECT**

Mr. LeRoy presented the following:

WHEREAS, the County has identified the B. Forman Park Erosion Control project in the current Capital Plan,; and

WHEREAS, it is anticipated that the County Highway Department will be able to perform the construction activities to stabilize the shoreline once the permits are in place and the design has been completed; and

WHEREAS, this project will require Consulting Engineering services to obtain permits and prepare construction documents before any construction efforts can begin; and

WHEREAS, there are possible grant opportunities that are being pursued by the County Planning Department to help offset the County costs; and

WHEREAS, the County has shown support in this project via resolution 459-11; now, therefore be it

RESOLVED, that the Highway Superintendent is hereby authorized and directed to advertise for proposals for Engineering services for the B. Forman Park Erosion Control projects.

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

**RESOLUTION NO. 623-11: AUTHORIZING COUNTY/TOWN CONTRACTS FOR SNOW AND ICE CONTROL ON WAYNE COUNTY HIGHWAYS**

Mr. LeRoy presented the following:

WHEREAS, as in previous years, Wayne County is proposing to enter into an agreement with the towns for snow and ice services for the 2011-2012 season; and

WHEREAS, the reimbursements will be based on actual time and material expended by each town and a per trip cost will be negotiated with each town based on their expenses and the application rates/ratios, and

WHEREAS, the towns will be required to keep a log of trips that will be submitted to the county for reimbursement on a monthly basis; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute County/Town contracts for snow and ice control on County Highway during the 2011-2012 winter season, subject to the County Attorney's approval as to form and content

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

adopted.

**RESOLUTION NO. 624-11: AUTHORIZATION TO SUBMIT A TRANSPORTATION PLANNING PROPOSAL TO THE GENESEE TRANSPORTATION COUNCIL FOR A HORIZONTAL CURVE STUDY ON WAYNE COUNTY HIGHWAYS**

Mr. LeRoy presented the following:

WHEREAS, the Genesee Transportation Council (GTC) is currently soliciting for Planning proposals for consideration in the 2012-2013 Unified Planning Work Program (UPWP); and

WHEREAS, the Wayne County Highway Department wishes to submit a proposal to study the horizontal curves and associated signage on all 406 miles of County Highways; and

WHEREAS, it is estimated that the study will cost \$60,000 of which \$5000 will be a local share and \$55,000 will be UPWP Federal Funds; and

WHEREAS, if funded, this study will review the horizontal curves on the County highways and recommend additional curvature signage to assure that the current regulations are met; now, therefore, be it

RESOLVED, that the County Highway Superintendent is authorized to submit a proposal to the Genesee Transportation Council.

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

Mrs. Crane asked if there were concerns with our roads. Mr. LeRoy informed board members that this study is a safety precaution to evaluate dangerous curves; and regulations may recommend additional curvature signage.

Mr. Lauderdale inquired of the local match of funds for this study of \$5,000.00. Upon roll call, adopted.

**RESOLUTION NO. 625-11: ADOPTION OF 2012-2016 CAPITAL PLAN FOR WAYNE COUNTY**

Mr. LeRoy presented the following:

WHEREAS, the County Administrator submitted the proposed 2012-2016 Capital Plan to the Board of Supervisors on July 18, 2011; and

WHEREAS, the Capital Plan Reviews were conducted on September 12, 2011 and October 4, 2011 with the Public Works Committee; and

WHEREAS, the Public Works Committee has recommended changes to the plan; and WHEREAS, the plan dated September 29, 2011 reflects those changes; and

WHEREAS, the Capital Plan is a planning instrument and not an appropriations or funding commitment; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors approves the Capital Plan for 2012-2016 that is dated September 29, 2011 and is on file with the Clerk of the Board of Supervisors.

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

**RESOLUTION NO. 626-11: AUTHORIZATION TO AMEND BUDGET AND PURCHASE WIRELESS HEADSETS FOR THE EMERGENCY OPERATIONS CENTER**

Mr. Plant presented the following:

WHEREAS, the Emergency Operations Center currently has the need for wireless headsets; and

WHEREAS, these headsets are available on state contract; now, therefore, be it

RESOLVED, that the Wayne County Office of Emergency Management is authorized to purchase two wireless headsets; and be it further

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

**A3640-Emergency Management:**

(appropriations):

\$750 from .54126 Field Supplies  
\$750 to .52200 Office Equipment

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

**RESOLUTION NO. 627-11: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH EXXONMOBIL CHEMICAL IN RELATION TO THE RADIO INTEROPERABILITY PROJECT**

Mr. Plant presented the following:

WHEREAS, Wayne County 911, in association with the Radio Interoperability Project, and in accordance with Board of Supervisors resolution 28-10, was previously authorized to install the equipment necessary to utilize the Palmyra Village Hall as a radio receiver site to serve the southwestern section of the county; and

WHEREAS, in the County's radio network, signals are transmitted from site to site by means of a wireless link system; and

WHEREAS, although studies had previously indicated that a wireless link path could be achieved to the Palmyra site, it was later found that a reliable path did not exist, necessitating that an alternative site be secured; and

WHEREAS, the ExxonMobil Chemical facility, located at 729 Route 31 in Macedon has been identified as an advantageous site for radio performance in the southwestern section, with confirmation of an acceptable path and adequate elevation for good performance, with company officials receptive to allowing the County to utilize the site for its purposes; and

WHEREAS, ExxonMobil Chemical has a long history of cooperation with local emergency service providers, by allowing their facility to be used for the installation of radio communications equipment for local responders for many years; now, therefore, be it

RESOLVED, that the Chairman of the Board shall be authorized to execute a lease agreement with ExxonMobil Chemical Company, which would allow the County to mount one Omni directional receive antenna and wireless link communications equipment on the roof of their facility, with four radios, one power supply, an Ethernet switch, and other miscellaneous equipment to be located within the building at 729 Route 31 (Pittsford-Palmyra Road) in Macedon; and be it further

RESOLVED, that there shall be no lease payments from the County to ExxonMobil in association with this lease, with said lease agreement subject to the approval of the County Attorney as to form and content.

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

**RESOLUTION NO. 628-11: AUTHORIZATION TO EXECUTE AGREEMENT AND APPROPRIATE PROJECT ACCOUNT FUNDING**

Mr. Plant presented the following:

WHEREAS, the State of New York, in the current budget year, has allocated funding for the Local Enhanced Wireless 911 Program, which can reimburse costs for certain 911 related expenditures undertaken by eligible counties; and

WHEREAS, through this program, the County of Wayne has been approved to receive \$49,218 in reimbursement funding for eligible expenses incurred through March 31, 2014; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a Letter of Agreement with the State of New York, relative to the County's intent to participate in the Local Enhanced Wireless 911 Program for the 2011-2014 allocation, and be it further

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

**H1935-Enhanced 911 Emergency Telephone**

\$49,218.00 to .43395 Wireless 911 Grant Program  
\$49,218.00 to .52000 Equipment and Other Capital Outlay

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

**RESOLUTION NO. 629-11: AUTHORIZATION TO PURCHASE A SIDE SCAN SONAR UNIT FOR THE SHERIFF'S OFFICE MARINE UNIT AS A SOLE SOURCE PURCHASE**

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office received a grant from the Federal Emergency Management Agency's Port Security Grant Program in the amount of \$73,979 (previously authorized and 2011 budget amended by Resolution 30-11), for the purchase of Marine Patrol related equipment including a side scan sonar unit; and

WHEREAS, the side scan sonar unit sought to be purchased is the "Sea Scan" HDS, manufactured and sold solely by Marine Sonic Technology, Ltd; and

WHEREAS, stipulations of said grant require the interoperability of the equipment with the New York State Police; and

WHEREAS, the New York Police utilize the "Sea Scan" side scan sonar in the Finger Lakes Region; and

WHEREAS, there are no other side scan sonar units manufactured that are interoperable with the "Sea Scan" unit; and

WHEREAS, interoperability would include training with the New York State Police and interchanging of parts when necessary; and

WHEREAS, the "Sea Scan" side scan sonar is not current under New York State Contract pricing; and

WHEREAS, the Sheriff is requesting authorization to purchase the above stated "Sea Scan" side scan sonar as sole source purchases under the purchasing policies and procedures set forth in section II. 11.b of Wayne County Resolution No. 013-10, at a total cost not to exceed \$ 43,944.00; at no cost to County taxpayers; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to purchase a "Sea Scan" side scan sonar manufactured by Marine Sonic Technology, LTD" as sole source purchases under section 11.b of Wayne County Resolution 013-10, at a total cost not to exceed \$43,944.00, and at no cost to County taxpayers.

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

**RESOLUTION NO. 630-11: AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR INMATE TELEPHONE SERVICES AT THE WAYNE COUNTY JAIL**

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has had an agreement with Global Tel\*Link Corporation of Reston, Virginia, for the provision of inmate telephone services at the Wayne County Jail since 2006; and

WHEREAS, said agreement is due to expire October 16, 2011; and

WHEREAS, a new agreement would commence upon approval of the Board of Supervisors and would continue for a period of 5 years; and

WHEREAS, the Sheriff is requesting to enter into an agreement with Global Tel\*Link Corporation of Reston, Virginia, for the provision of inmate telephone services at the Wayne County Jail, for a 5 year period, which would commence upon approval of the Board of Supervisors; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to enter into a 5 year agreement with Global Tel\*Link Corporation of Reston, Virginia, commencing upon approval of the Board of Supervisors, for the provision of inmate telephone services at the Wayne County Jail, upon review and approval of the County Attorney.

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

**RESOLUTION NO. 631-11: AUTHORIZATION TO ADVERTISE FOR BID THE PURCHASE**

**OF TWO SNOWMOBILES FOR THE SHERIFF'S OFFICE RECREATIONAL SAFETY DIVISION**

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has budgeted in the 2011 County budget two snowmobiles for the Recreational Safety Division; and

WHEREAS, there are currently no snowmobiles listed under New York State contract pricing; and

WHEREAS, the Sheriff's Office, in conjunction with the County Attorney's Office, is formulating bid specifications for the two snowmobiles, and

WHEREAS, The Sheriff is requesting that the purchase of the two snowmobiles 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 two snowmobiles for the Sheriff's Office, and be it further

RESOLVED, 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 Mr. Lauderdale. Upon roll call, adopted.

**RESOLUTION NO. 632-11: AUTHORIZATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE OSWEGO COUNTY SHERIFF'S OFFICE FOR THE HOUSING OF INMATES**

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has an informal agreement with the Oswego County Sheriff's Office for the housing of Oswego County Jail inmates in the Wayne County Jail; and

WHEREAS, Wayne County charges the Oswego County Sheriff's Office \$85.00 per day for the housing of such inmates; and

WHEREAS, Sheriff Virts is requesting authorization to enter into a Memorandum of Understanding with the Oswego County Sheriff's Office for the housing of such inmates at a rate of \$85.00 per day, through December 31, 2013; now, therefore, be it

RESOLVED, that Sheriff Virts is hereby authorized to enter into a Memorandum of Understanding with the Oswego County Sheriff's Office, for the housing of Oswego County Jail inmates at a rate of \$85.00 per day, through December 31, 2013, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 633-11: AUTHORIZATION FOR SETTLEMENT OF CLAIM**

Mr. Hammond presented the following:

WHEREAS, a vehicle owned by Wayne County and operated by a Wayne County employee caused damage to an automobile owned by Karoline Wright, that said County vehicle was on the wrong side of the driveway in the parking lot of the Wayne County Health Services Facility located on Nye Road and collided with Ms. Wright's vehicle and caused substantial damage to said vehicle owned by Karoline Wright; now therefore be it

RESOLVED; in settlement of said claim that the Wayne County Treasurer is hereby authorized and directed to pay GMAC Insurance the sum of Eight Thousand One Hundred Twenty Two and 35/100 Dollars (\$8,122.35) from Account #1931 (Liability & Casualty) as directed by the Wayne County Attorney.

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

**RESOLUTION NO. 634-11: REQUESTING COUNTY TREASURER TO PUBLISH COUNTY**

**TAX FORECLOSURE NOTICES IN THE COUNTY'S OFFICIAL NEWSPAPERS**

Mr. Hammond presented the following:

WHEREAS, Wayne County conducts a property tax foreclosure auction that is held once a year pursuant to Law, when taxes are not redeemed prior to the sale date; and

WHEREAS, a current list of properties in foreclosure are available and maintained in the Real Property Tax Services and Treasurer's Offices and on the County web site prior to the sale date; and

WHEREAS, the County Treasurer is responsible for the publication of said properties as per County Law; and

WHEREAS, the notices are published in newspapers selected by the County Treasurer; and

WHEREAS, it is essential that these foreclosed properties be published in Official Newspapers of the County for proper notification; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and requested to publish said Notices of Foreclosure in the designated Official Newspapers that are annually adopted by the Board of Supervisors.

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

**RESOLUTION NO. 635-11: AUTHORIZATION TO CONTRACT WITH VENESKY & COMPANY FOR PREPARATION OF THE COST ALLOCATION PLAN AND INDIRECT COST RECOVERY PLAN**

Mr. Hammond presented the following:

WHEREAS, the County of Wayne is required to have a Cost Allocation Plan for the entire County and a Indirect Cost Recovery Plan for the Department of Social Services to be completed; and

WHEREAS, the County has utilized Venesky & Company to provide these services for the past three (3) years at a cost of \$11,000 per year; and

WHEREAS, Venesky & Company has developed a proposal to continue to provide said services for the next five years at a cost not to exceed \$12,000.00 per year; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute as agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Venesky & Company, 6114 Route 31, Cicero, NY 13039 for the preparation of the County's Space Occupancy Cost Analysis Report, Consolidated County-Wide Cost Allocation Plan and Departmental Indirect Cost Proposals at an annual fee of \$12,000.00 for the five (5) year period January 1, 2011 through December 31, 2015, payable in 2012, 2013, 2014,2015 and 2016.

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

**RESOLUTION NO. 636-11: AUTHORIZATION TO AMEND A1040 CLERK OF THE BOARD BUDGET AND TRANSFER FROM CONTINGENT ACCOUNT FOR 2011**

Mr. Hammond presented the following:

WHEREAS, the Clerk of the Board's budget for advertising has run out of funds prior to years end and a budget transfer is required; now, therefore, be it

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

**A1990-CONTINGENT FUND GEN:**

\$1,000.00 from .54000 Contractual Expense

**A1040 CLERK OF THE BOARD:**

\$1,000.00 to .54402 Advertising

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

**RULE 15 RESOLUTIONS**

**RESOLUTION NO. 637-11: AUTHORIZATION TO AMEND BUDGET AND PURCHASE & INSTALL PUBLIC ADDRESS SYSTEM COMPONENTS**

Mr. Plant presented the following:

WHEREAS, the Emergency Operations Center Operations Room (Room 2011) currently has a Public Address System that was installed as part of the Public Safety Building Renovation Project; and

WHEREAS, there is a need to add speakers and volume controls to Room 2024 - PIO and Room 2025 - Dose Assessment to hear critical announcements originating in the Operations Room; and

WHEREAS, Emergency Management has funds available to purchase and install said equipment; therefore be it

RESOLVED, that the Wayne County Office of Emergency Management is authorized to purchase said equipment and installation out of available A3640.52200 Office Equipment funds.

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

**RESOLUTION NO. 638-11: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH THE NYSDOT FOR CONSTRUCTION COSTS ASSOCIATED WITH THE ALDERMAN ROAD BRIDGE PROJECT**

Mr. LeRoy presented the following:

WHEREAS, the original agreement between Wayne County and the NYSDOT only included funds for the design phases of the project in the amount of \$342,000; and

WHEREAS, the bids for the construction of the Alderman Road Bridge Replacement project were recently opened; and

WHEREAS, the NYSDOT has authorized the remaining project funds for the construction phase of the project which includes construction, construction inspection and construction administration; and

WHEREAS, this supplemental agreement for \$1,819,000 will be funded with 80% Federal funds, 15% State Funds and 5% local funds; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the NYSDOT for an additional \$1,819,000.

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

**RESOLUTION NO. 639-11: AUTHORIZATION TO DECLARE USED FURNITURE SURPLUS AND ADVERTISE FOR SALE**

Mr. LeRoy presented the following:

WHEREAS, Wayne County has a surplus of used office furniture in useable condition, as a direct result of the purchase of new furniture for the Public Safety Building occupants; and

WHEREAS, all County Departments and Town Offices have been notified for the opportunity to view and obtain any of said used furniture for use within their County or Town locations; now, therefore, be it

RESOLVED, that the following list of furniture is no longer of use to the County and is hereby declared surplus for disposal by way of a sealed bid sale; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise for sealed bids of said furniture for a one (1) lump sum price for all items; and be it further

RESOLVED, that said sealed bids are to be publicly opened and the results referred to the standing committee then to the full Board for consideration of award at the next meeting of

the Board:

**ITEM**

<b>NO.</b>	<b>QTY.</b>	<b>DESCRIPTION</b>
1.	60	4 DRAWER FILING CABINETS
2.	4	5 DRAWER FILING CABINETS
3.	24	2 DRAWER FILING CABINETS
4.	3	3 DRAWER FILING CABINETS
5.	5	5 DRAWER LATERAL FILING CABINETS
6.	2	3 DRAWER LATERAL FILING CABINETS
7.	6	LAMINATE DESK WORKSTATIONS
8.	43	DESK CHAIRS
9.	96	WOOD / METAL ARM CHAIRS
10.	4	TYPEWRITER STANDS
11.	1	INDEX CARD CABINET
12.	44	METAL DESKS
13.	5	METAL STORAGE CABINETS
14.	1	WOOD BOOKCASE
15.	43	PARTITIONS
16.	76	METAL / WOOD STACK CHAIRS
17.	2	METAL CREDENZAS
18.	2	WOOD CREDENZAS
19.	6	6' TABLES
20.	6	5' TABLES
21.	1	8' TABLES
22.	4	4' TABLES
23.	16	METAL SHELVES
24.	2	COMPUTER WORKSTATIONS
25.	1	LOVE SEAT
26.	3	DRY ERASE BOARDS
27.	3	4' ROUND TABLES
28.	4	WOOD DESK WORKSTATIONS
29.	2	METAL COAT TREES

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

Mr. Kelsch moved, seconded by Mr. Plant that three (3) resolutions be allowed on the floor under other business. Motion carried.

**RESOLUTION NO. 640-11: AUTHORIZATION TO PURCHASE COMPUTER EQUIPMENT AND TRANSFER FUNDS FOR THE COUNTY ATTORNEY**

Mrs. Collier presented the following:

WHEREAS, a computer in the Wayne County Attorney's Office has been diagnosed as non-functional; and

WHEREAS, following discussion with the IT Department and upon their recommendation, the County Attorney is desirous of purchasing a replacement equipment, not included in the 2011 budget; and

WHEREAS, Informational Technology Department has issued a quote for \$1,200 to replace said computer; now, therefore, be it

RESOLVED, that the Wayne County Attorney's Office is hereby authorized to purchase one (1) PC package a cost of \$1,050; and be it further

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

**A1990 Contingent Fund Gen**  
(appropriations)

\$1,050 from .54000 Contractual Expenses

**A1420 County Attorney**

(appropriations)

\$1,050 to .52201 Computer Equipment

and be it further

RESOLVED, that the Computer presently in the Wayne County Attorney's office is hereby declared surplus equipment and shall be disposed of by the Wayne County Information Technology Department as per county policy.

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

**RESOLUTION NO. 641-11: AUTHORIZATION TO PURCHASE COMPUTER EQUIPMENT AND BUDGET ADJUSTMENT FOR THE DIRECTOR OF TOURISM**

Mr. Spickerman presented the following:

WHEREAS, a computer in the Wayne County Tourism's Office has been diagnosed as non-functional; and

WHEREAS, following discussion with the IT Department and upon their recommendation, the Director of Tourism is desirous of purchasing replacement equipment, not included in the 2011 budget; and

WHEREAS, Informational Technology Department has issued a quote for \$690 to replace said computer; now, therefore, be it

RESOLVED, that the Wayne County Tourism's Office is hereby authorized to purchase one (1) PC package a cost of \$690; and be it further

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

**A6410 Publicity - Tourism**

(appropriations)

\$690 from .54557 Printing Expenses

\$690 to .52201 Computer Equipment

and be it further

RESOLVED, that the computer presently in the Wayne County Tourism office are hereby declared surplus equipment and shall be disposed of by the Wayne County Information Technology Department as per county policy.

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

**RESOLUTION NO. 642-11: AUTHORIZATION TO ACCEPT BID PROPOSAL FOR DEPARTMENT OF SOCIAL SERVICES STEPS AND LANDING REPLACEMENT**

Mr. LeRoy presented the following:

WHEREAS, Resolution No. 594-11 authorized the Superintendent of Buildings and Grounds to Request Proposals for the replacement of the landing and steps at the East entrance of the Department of Social Services Building; and

WHEREAS, seven (7) proposals were received as follows:

1. **NICOLETTA BUILDING CONTRACTORS**

Base Bid:	\$36,000.00
Deduct for Demo:	\$ 5,500.00
  
2. **RAMSEY CONSTRUCTORS, INC.**

Base Bid:	\$33,900.00
Deduct for Demo:	\$ 2,500.00

3. **HOLDSWORTH KLIMOWSKI CONSTRUCTION**  
 Base Bid: \$32,400.00  
 Deduct for Demo: \$ 5,000.00
  
4. **AEY ENTERPRISES, INC.**  
 Base Bid: \$31,666.00  
 Deduct for Demo: \$ 4,000.00
  
5. **BURGESS & BURGESS MASONRY CONSTRUCTION**  
 Base Bid: \$29,340.00  
 Deduct for Demo: \$ 6,200.00
  
6. **MACEDON LANDSCAPING, INC.**  
 Base Bid: \$26,500.00  
 Deduct for Demo: \$ 6,000.00
  
7. **JAVEN CONSTRUCTION CO.**  
 Base Bid: \$20,900.00  
 Deduct for Demo: \$ 3,000.00

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with **Javen Construction Co.**, subject to the approval of the County Attorney as to form and content for the replacement of the DSS Steps and Landing in the amount of the Base Bid price of \$ 20,900.00.

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

Mr. Groat addressed the board with his concerns regarding the foundation of the building. Mr. Marquette stated that the quoted price includes the demolition work and is to be done by the Contractor.

Upon roll call, adopted.

Supervisor Plant, Chairman of the Public Safety Committee, addressed the Board regarding talk about the Sheriff's Office taking over control of the County E-911 Center. He stated that Sheriff Virts never approached the County with this issue, however, the Sheriff was approached back when the possibility of expanding the County Advanced Life Support (ALS) service was being considered. At that time, it was not known if the E-911 Coordinator could handle both the ALS operation and E-911 Center. However, now that ALS is not going to expand, administration of E-911 will remain as is. Mr. Plant stated many upgrades to E-911 equipment will be needed in the near future; and the County will continue to look for the most economical way to operate this Office. He asked that individuals refrain from pre-mature comments on this issue.

**ANNOUNCEMENTS**

Chairman Hoffman announced that, unlike past years, all County offices will be open on Election Day, November 8.

Immediately following this Board meeting, there will be a tour conducted to see the new records storage facility. Board members are invited.

On behalf of the Board, Chairman Hoffman took this opportunity to congratulate and offer best wishes to Daniel Connors and his wife Lori, on their recent marriage over the holiday weekend.

**ADJOURNMENT:**

The next scheduled meeting of the Board is Tuesday, November 15, 2011 at 9:00 a.m.

Mr. LeRoy moved, seconded by Ms. Park, that the board adjourn at 10:40 a.m. Carried.

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