

18th Day
Tuesday, December 16, 2008
9:00 a.m.

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

Upon roll call, all Supervisors were present except Supervisors LeRoy who was absent. County Administrator James Marquette and County Attorney Daniel Wyner were also present.

APPROVAL OF MINUTES:

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

SUMMARY OF CLAIMS BY COMMITTEE:

Committee No. 1	Finance	
A13254	Treasurer	12,651.35
A13554	Assessment - Real Property Tax	968.54
A13644	Expenses on Prop Acquired	37.00
A16804	Information Technology	7,964.82
A19104	Unallocated Insurance	4112.00
A19304	Judgments & Claims	4,382.81
A24904	Community College	47,524.27
H19392	Route 31 Complex	<u>9,517.63</u>
		\$ 87,158.42

Committee No. 2	Public Safety	
A11652	District Attorney	5,975.03
A11654	District Attorney	15,381.23
A11704	Public Defender	13,246.13
A11724	Legal Defense of Indigents	41,531.22
A11734	Wayne Pre-Trial Services, Inc.	8,869.92
A11904	Grand Jury	1,618.23
A31104	Sheriff	9,504.50
A31114	Sheriff – Recreational Safety	1,872.00
A31134	Sheriff - Juvenile Office	504.83
A31142	Sheriff - Road Patrol	22,816.90
A31144	Sheriff - Road Patrol	6,319.11
A31154	Sheriff - Detective Unit	3,851.69
A31174	Animal Abuse Investigations	789.36
A31404	Probation	5,372.72
A31504	Sheriff – Jail	17,927.07
A31704	Other Correctional Agencies	18,171.85
A33152	Stop DWI	5,577.98
A33154	Stop DWI	4,328.52
A34104	Mutual Aid (Fire Coordinator)	1,406.35
A36404	Emergency Management Office	583.02
A36424	E911 Communications	4,050.22
A36442	ALS Services	7,110.60
A36444	ALS Services	<u>6,795.04</u>
		\$203,603.52

Committee No. 3	Public Works	
A16154	Buildings and Grounds	155,024.79
A16404	Central Garage	8,180.36
A87304	Soil Conservation	56,497.50
D50104	Highway Administration	629.87
D50204	Highway Engineering	17.01
D51104	Maintenance of Roads & Bridges	49,242.29
D51122	Road Construction	1,226,398.24
D51424	Snow Removal – County	166,847.91
DM51304	Road Machinery	<u>65,561.26</u>
		1,728,399.23
Committee No. 4	Economic Development & Planning	
A63264	Economic Development Admin	205,046.00
A64102	Publicity (Tourism)	544.65
A64104	Publicity (Tourism)	4,408.80
A64114	Tourism Matching Funds Program	17,052.10
A80204	Planning Board	79,934.74
H19582	Fairgrounds Livestock Barn	1,858.76
H59022	Amtrak Station	<u>67,942.01</u>
		\$ 376,787.06
Committee No. 5	Government Operations	
A10102	Legislative Board	489.29
A10104	Legislative Board	4,278.20
A10404	Clerk Legislative Board	476.46
A12304	County Administration	111.98
A14104	County Clerk	2,242.58
A14204	County Attorney	9,569.35
A14304	Human Resources	5,180.12
A14314	Cafeteria Plan	679.65
A14504	Board of Elections	2,795.71
A16704	Undistributed Postage	20,000.00
A16714	Printing Department	3,214.18
A16724	Court House Xerox	118.22
A75104	County Historian	336.00
MS17104	Administrative Fees	<u>27,268.32</u>
		\$ 76,760.06
Committee No. 6	Health & Medical Services	
A40102	Public Health	761.00
A40104	Public Health	4,822.65
A40114	Public Health Service	42,759.17
A40162	PH - Early Intervention 0-1	112,502.87
A40174	PH - Child w/Spec Needs 3-5	475,137.51
A40182	Public Health Education	2,788.11
A40194	Wayne Community Nursing Care	29,133.40
A40204	PH - EMS Coordinator	193.05
A43004	Behavioral Health	102,434.43
A43224	Community Providers	32,260.00
E60002	NH Combined	141,504.23
E60004	NH Combined	<u>184,529.67</u>
		\$ 1,128,823.09

Committee No. 7	Human Services	
A60104	Administration	56,309.05
A60704	Purchase of Services	1,333.15
A61094	Family Assistance	40.00
A61404	Safety Net	240.00
A62124	WFD/DSS Intensive Employment	1,030.89
A62144	Economic Opportunity & Develop	708.91
A62174	WFD-DSS Wage Subsidy	165.27
A62924	WFD-APY Grant	205.88
A62934	WIA Adult	451.51
A62944	WIA Dislocated	1,131.57
A62954	WIA Youth	928.43
A62964	TANF Summer	873.60
A65104	Veteran Services	9,141.76
A67724	Area Agency on Aging	62,485.49
A73104	Youth Bureau	<u>36,557.92</u>
		\$ 171,603.43
	Warrant Total	\$3,773,134.81
	During the Month Utilities	\$ 119,288.52

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

COMMUNICATIONS:

The Clerk read the following:

The Sheriff's Report for the month of October 2008 in the amount of \$11,513.56 was received.

A copy of the Application for the Establishment of Water District No. 11 for the Town of Arcadia was received and filed.

A copy of the Statement of the Board of Elections 2008 Vote Cast in the General Election was received.

A copy of the 2009 Budget for the WC Water and Sewer Authority was received.

A letter was received from James P. Brady, Wayne County Highway Superintendent, announcing his upcoming retirement, effective December 29, 2008.

A List of Delinquent 2008 Taxes of Parcels situated in the County of Wayne was received from the Wayne County Treasurer.

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

BIDS:

Wayne County Sheriff's Department

- Inmate Commissary Services and Resident Banking Software

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

ANNUAL REPORTS:

Cornell Cooperative Extension

Finger Lakes Workforce Investment Board July 1, 2007 – June 31, 2008

Mr. Hammond moved, seconded by Mr. Colacino, that all reports be received and filed. Upon roll call, carried.

Supervisor Steven Groat introduced James Decola, employee of the Wayne County Nursing Home, to acknowledge his 36 years of dedicated service to the Wayne County Nursing

Home.

Ms. Kyra Yon, CBAPP Director, Wayne County Action Program, Inc., addressed the Board regarding the Community Based Adolescent Pregnancy Prevention Program.

PROCLAMATIONS:

On behalf of the Board, Supervisor James Fabino presented a Certificate of Appreciation to James P. Brady, Superintendent of Highways, for his 15 years of dedicated service and to wish him all the best on his upcoming retirement.

Mr. Peter Evans, Wayne County Historian, addressed the Board and announced the 2008 Mildred Taylor/Daniel Kane History Awards.

Wayne County Historian Peter Evans presented the 2008 Mildred Taylor-Daniel Kane History Award to Charles Lenhart of Hilton, for his efforts to educate the public on Wayne County's anti-slavery and underground railroad history, and also to James Kennard of Fairport for his role in diving on and recording the stories of several high profile shipwrecks off the shores of Wayne County.

The Clerk read the following Notice of Public Hearing for Proposed Local Law for providing for changes in the salaries of certain County Officers during their term of office.

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

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on Tuesday, December 16, 2008, at 9:30 a.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

COUNTY OF WAYNE – STATE OF NEW YORK

A Local Law providing for changes in the salaries of certain County officers during their term of office.

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

SECTION 1. The annual salary of the County Treasurer shall be \$68,590 effective January 1, 2009.

SECTION 2. The annual salary of the County Clerk shall be \$70,279 effective January 1, 2009.

SECTION 3. The annual salary of the County Coroner shall be \$37,283 effective January 1, 2009.

SECTION 4. The annual salary of the Commissioner of Social Services shall be \$83,502 effective January 1, 2009.

SECTION 5. The annual salary of the County Administrator shall be \$113,300 effective January 1, 2009.

SECTION 6. The annual salary of the County Attorney shall be \$90,146 effective January 1, 2009.

SECTION 7. The annual salary of the Public Defender shall be \$84,726 effective January 1, 2009.

SECTION 8. The annual salary of the Fire Coordinator shall be \$27,178 effective January 1, 2009.

SECTION 9. The annual salary of the Director of Real Property Tax Service shall be \$61,800 effective January 1, 2009.

SECTION 10. The annual salary of the Human Resource Director shall be \$80,000

effective January 1, 2009.

SECTION 11. The annual salary of the Superintendent of Highways shall be \$74,263 effective January 1, 2009.

SECTION 12. The annual salary of the Sheriff shall be \$86,508 effective January 1, 2009.

SECTION 13. The annual salary of the District Attorney shall be \$128,186 effective January 1, 2009

SECTION 14. An incumbent holding a position subject to the provisions of Sections 1 through 12 of this local law at the time during the period from the effective date of the salary increase for such position until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefore, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.

SECTION 14. If any clause, sentence, paragraph, part or provision of this local law shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part or provision thereof directly involved in the controversy in which such judgment is rendered.

SECTION 15. This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof, in the manner provided by law.

SECTION 16. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2009.

Dated: December 9, 2008
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

The Chairman opened the floor for public comment. After time was given for all interested people to be heard, Mr. Fabino moved, seconded by Mrs. Bender, that the public hearing be closed. Upon roll call, carried.

RESOLUTION NO. 852-08: AUTHORIZATION TO CONTRACT WITH WAYNE AREA TRANSPORTATION FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Hammond presented the following:

WHEREAS, Wayne County Department of Aging and Youth requests authorization to contract with WATS to provide transportation services for senior citizens to attend the Wolcott Senior Center; and

WHEREAS, the Wayne Area Transportation Service (WATS) will provide transportation one day per week to the Wolcott Senior Center at the rate of \$866 per month at an annual rate of \$10,392. This service will be funded out of the Supplemental Nutrition Assistance Program (SNAP) grant; and

WHEREAS, the Department of Aging and Youth will reimburse WATS \$6.50 per one way out of county transport for senior's authorized with an AY agency voucher the total annual rate not to exceed \$2,000, therefore be it

RESOLVED, that the Chairman of the 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 Wayne Area Transportation Service. WATS will provide transportation to the individuals over sixty years old surrounding the Wolcott area to the Wolcott Senior Center located at the First United Methodist Church, Wolcott NY; and be it further

RESOLVED, that the amount of this contract is not to exceed \$10,392 for the weekly transportation to the Wolcott Senior Center and not to exceed \$2,000 for out of county transport. This contract period is for January 1, 2009 through December 31, 2009.

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

RESOLUTION NO. 853-08: AUTHORIZATION TO RENEW CONTRACT WITH WAYNE COUNTY ARC FOR 2009 FOR THE WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH

Mr. Hammond presented the following:

WHEREAS, Wayne County Department of Aging and Youth Contracts with Association for Retarded Children (ARC) to provide respite services in the form of a day camp for disabled children; now, therefore, be it

RESOLVED, that the Chairman of the 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 Wayne County ARC for their Youth Vacation Day Camp for 2009 in an amount not to exceed \$1,525; and be it further

RESOLVED, that ARC provides all matching funds, and expends total budget (matching funds plus NYS Office of Children and Family Services share) prior to submission of claim to County for Office of Children and Family Services Share/Allocation for the time period of 01/01/09– 12/31/09; and further be it

RESOLVED, that the funding is contingent on OCFS final funding allocations.

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

RESOLUTION NO. 854-08: AUTHORIZATION TO RENEW CONTRACT WITH BIG BROTHERS/BIG SISTERS COMMUNITY PARTNERS FOR YOUTH FOR 2009

Mr. Hammond presented the following:

WHEREAS, Wayne County Department of Aging and Youth contracts with Big Brothers and Big Sisters to provide mentoring services to 40 area youth; now, therefore, be it

RESOLVED, that the Chairman of the 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 Big Brothers/Big Sisters for the period of January 1, 2009 through December 31, 2009, for the provision of youth mentoring services for an amount not to exceed 5,527.00; and further be it

RESOLVED, that Big Brothers and Big Sisters will provide the 50% required match and that the terms and conditions of this contract remain the same as 2008; and further be it

RESOLVED, that the funding is contingent on OCFS final funding allocations.

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

RESOLUTION NO. 855-08: AUTHORIZATION TO CONTRACT WITH THE ARTHRITIS FOUNDATION FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Hammond presented the following:

WHEREAS, the Department of Aging and Youth receives Residence Opportunities and Self Sufficiency (ROSS) grant funding to provide Case-management services as well as health and wellness programming for senior residents at the Newark High-Rise; and

WHEREAS, the Department of Aging and Youth would like to enter into a contract with the Arthritis Foundation to provide an exercise program once a week at a cost of \$36 per session; now, therefore, be it

RESOLVED, that the Chairman of the 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 Arthritis Foundation to provide an exercise program from January 1, 2009 through December 31, 2009; and be it further

RESOLVED, that the total cost of the program is not to exceed \$1,872 to be covered with available ROSS funding.

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

RESOLUTION NO. 856-08: AUTHORIZATION TO CONTRACT WITH CORNELL COOPERATIVE EXTENSION FOR NUTRITION EDUCATION AND SENIOR CENTER TRAINING

Mr. Hammond presented the following:

WHEREAS, the Department of Aging and Youth receives Residence Opportunities and Self Sufficiency (ROSS) grant funds to provide case management services for seniors at the Newark High-Rise and nutrition education has been identified as a priority issue in this grant; now, therefore, be it

RESOLVED, that the Chairman of the 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 Cornell Cooperative Extension from January 1, 2009 through December 31, 2009, to provide twelve monthly Nutrition Education workshops at the Newark High-Rise; and be it further

RESOLVED, that the cost for these services will not exceed \$900 and is contingent on ROSS funding allocations.

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

RESOLUTION NO. 857-08: AUTHORIZATION TO CONTRACT WITH PEER PLACE NETWORKS, LLC FOR DATA COLLECTION AND REPORTING SOFTWARE

Mr. Hammond presented the following:

WHEREAS, the Wayne County Department of Aging and Youth is required to collect and report client demographics and services data to the New York State Office for the Aging (NYSOFA); and

WHEREAS, Peer Place Networks, LLC offers an Internet-based data collection and reporting system that is fully compatible with NYSOFA requirements and requires no local software installation and support; and

WHEREAS, the monthly hosting fees for Peer Place is \$878, for a total annual subscription fee of \$10,536; and WHEREAS, the cost of this reporting system is 100% reimbursable through State/Federal grants; now, therefore be it

RESOLVED, that the Chairman of the 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 Peer Place Networks, LLC for the annual fee of \$10,536 for period of January 1, 2009 through December 31, 2009.

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

RESOLUTION NO. 858-08: AUTHORIZATION TO SUBMIT OCFS RESOURCE ALLOCATION PLAN

Mr. Hammond presented the following:

WHEREAS, NY State Office of Children and Family Services funding requires the Chairman of the Board to sign the OCFS Resource Allocation Plan for the year 2009 in order to receive funding to support various youth service and recreation programs in Wayne County; now, therefore be it

RESOLVED, that the Wayne County Department of Aging and Youth requests authorization for the Chairman of the Board of Supervisors sign the OCFS Resource Plan for the year 2009.

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

RESOLUTION NO. 859-08: AUTHORIZATION FOR THE DIRECTOR OF THE DEPARTMENT OF AGING AND YOUTH TO SIGN OCFS BUDGET AMENDMENTS

Mr. Hammond presented the following:

WHEREAS, the NY State Office of Family and Children Services Resource Allocation Plan stipulates that the Chief Executive may authorize the Youth Bureau Director to sign OCFS Youth Bureau budget amendments; and

WHEREAS, this authorization must be given in writing and filed annually with the State OCFS Regional Office; and

WHEREAS, the Board of Supervisors will still approve all modifications to the County Budget by the current procedure; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors authorizes the Director of the Department of Aging and Youth, Penny Shockley, to sign the OCFS budget amendments for the 2009 program year.

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

RESOLUTION NO. 860-08: AUTHORIZE CONTRACT WITH RGRTA/WATS FOR ON-DEMAND TRANSPORTATION SERVICES

Mr. Hammond presented the following:

WHEREAS, Wayne County is required to meet participation rates or face possible fiscal penalties as a consequence specified by the Federal Deficit Reduction Act of 2005 and New York State statute; and

WHEREAS, one of the major barriers to work/work readiness participation is the lack of transportation; and

WHEREAS, New York State has provided, through the Office of Temporary and Disability Assistance, Community Solutions to Transportation (CST) monies to counties in the past, most recently in an amount of \$51,000 to Wayne County Department of Social Services (DSS); and

WHEREAS, Rochester Genesee Regional Transportation Authority (RGRTA) has also been allocated CST monies by New York State in the past; and

WHEREAS, the Wayne Area Transportation System (WATS) has provided timely and effective service in the past; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into an agreement with the Rochester Genesee Regional Transportation Authority, subject to review by the County Attorney, for the provision of on-demand services to Wayne DSS clients for an amount not to exceed \$51,000 for calendar year 2009.

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

RESOLUTION NO. 861-08: AMEND RESOLUTION 641-08 CONTRACT WITH LIFETIME CARE TO CONTRACT WITH GENESEE REGION HOME CARE-ONTARIO COUNTY D/B/A HOME CARE PLUS

Mr. Hammond presented the following:

WHEREAS, Resolution No. 641-08 authorized a contract with Lifetime Care for the provision of the Personal Care Services Program for the timeframe starting October 1, 2008 and ending September 30, 2009, and

WHEREAS, we have been informed that the correct corporate name to use is Genesee Region Home Care-Ontario County d/b/a Home Care Plus; now, therefore, be it

RESOLVED that Resolution No. 641-08 is hereby amended as follows: the Chairman of the Board of Supervisors is hereby authorized to enter into a contract, subject to review by the County Attorney, and subject to available funds in the 2009 Wayne County Budget, with Genesee Region Home Care-Ontario County d/b/a Home Care Plus, for the provision of the Personal Care Services Program for the timeframe October 1, 2008 and ending September

30, 2009.

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

RESOLUTION NO. 862-08: AUTHORIZE DONATION OF SICK LEAVE CREDITS TO PATRICIA GERSTNER

Mr. Hammond presented the following:

WHEREAS, Patricia Gerstner is expected to be out of work up to 6 weeks; and

WHEREAS, Wayne County employees are desirous of donating sick leave credits to Patricia Gerstner in order to allow her to remain on the payroll; and

WHEREAS, Wayne County employees are aware that once these hours are donated to Patricia Gerstner, they are hers to use and will not be returned to the employee in the event that they are not all used at one time by Ms. Gerstner; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to transfer a total of 163.50 hours of sick leave credits to Patricia Gerstner, donated by following Wayne County employees:

Allen, Terry	4	Gansz, Eileen	4	Mills, Leah	4
Burgio, Phyllis	4	Gerhart, Philip	2	Munger, Sue	4
Caralla, Sheila	4	Haug, Bruce	4	Nesbitt, Sheryl	4
Carlson, Kevin	4	Hoe, Robert	2	Peters, Paul	4
Cataldi, Patricia	4	Hubbs, Bonnie	4	Reed, Kristine	4
Checho, Christine	4	Johnson, Deborah	4	Sina, Ivy	4
Cinelli, Dawn	4	Kastrup, Carol	4	Smith, Cheryl	4
Clevenger, Linda	2	Kommer, Kristin	4	Thayer, Patricia	4
Colatarci, Nola	4	Langworthy, Karen	3.5	Valley, Linda	4
Coleman, Patricia	4	Laurenza, Ellen	4	Washburn, Neil	4
DeBellis, Marianne	4	Liseno, Daniel	4	Watrous, Dennis	4
Edwards, Tom	4	Marchitello, Dominic	4	Wedman, Wendy	4
Fischette, Michael	4	McCrossen, Josh	4	West, Crystal	2
Forjone, Deborah	4	Meyer, Beverly	4	TOTAL HOURS	163.50
Frank, Diane	4	Miller, Betty	4		

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

RESOLUTION NO. 863-08: AUTHORIZING AMENDMENT TO THE CONTRACT FOR AUDITING SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home is in the second year of its three year contract for auditing services with Bonadio & Co. and;

WHEREAS, Resolution No. 91-08 authorized to amend resolution No. 860-06 for an adjustment from \$13,225 to \$15,755 for the December 31, 2007 audit; and

WHEREAS, new auditing standards were implemented last year in accordance with the Public Authority Accountability Act of 2005 accounting guidelines and government regulation that requires additional services performed, and

WHEREAS, Bonadio submitted its request for amendment to its fees schedule due to the above requirement changes for the December 31, 2008 audit; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to amend Contract, Resolution No. 860-06 on behalf of the Wayne County Nursing Home, with Bonadio & Co. for an adjustment from \$13,780 to \$16,380.

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

RESOLUTION NO. 864-08: AUTHORIZATION TO PURCHASE A DESK TOP COMPUTER FOR PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, a computer in the Public Health department is in need of replacement and the monitor has failed, and

WHEREAS there is unused funding available in 40102.52201, now, therefore, be it RESOLVED, that the Director of Public Health is hereby authorized and directed to purchase a computer with UPS backup at a cost not to exceed \$821.00.

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

RESOLUTION NO. 865-08 AUTHORIZATION TO SUBMIT PRE-K PROGRAM ANNUAL ADMINISTRATIVE COSTS INCURRED REPORT TO STATE EDUCATION DEPARTMENT

Ms. Park presented the following:

WHEREAS, Section 4410 of the Education Law entitles counties to receive administrative cost reimbursement of \$75 per eligible preschool student with a disability, or the total County Administrative Cost (whichever is lower); and

WHEREAS, a Statement of County Administrative Costs Incurred under Section 4410 of the State Education Law, July 1, 2007 – June 30, 2008 must be submitted to the State Education Department Program Services Unit by February 10, 2009 in order to receive such reimbursement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the Pre-K Program's completed Statement of Administrative Costs Incurred Report for submission.

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

RESOLUTION NO. 866-08: AUTHORIZATION TO ADOPT FEE SCHEDULES FOR CERTIFIED HOME HEALTH AGENCY AND PREVENTIVE SERVICES

Ms. Park presented the following:

WHEREAS, Wayne County Public Health Fee for Service rates require adjustments to reflect the cost of providing services within the agency; and

WHEREAS, the 2009 rates have been reviewed by Jack Venesky and Associates; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to adopt the following fees effective January 1, 2009:

Skilled Nursing	\$170/visit
Physical Therapy	\$135/visit
Occupational Therapy	\$130/visit
Speech Therapy	\$120/visit
Medical Social Worker	\$120/visit
Home Health Aide	\$ 95/visit
Home Health Aide	\$ 50/hour

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

RESOLUTION NO. 867-08: AUTHORIZATION TO ATTEND 2009 NATIONAL IMMUNIZATION CONFERENCE

Ms. Park presented the following:

WHEREAS, through a grant from the New York State Department of Health, NYSACHO is able to sponsor local health department staff in NY to attend the National Immunization Conference; and

WHEREAS, the conference is being held in Dallas, Texas from March 30 – April 2, 2009;
and

WHEREAS, conference registration, airfare, hotel and meals will be covered; and
WHEREAS, the cost of travel and tolls will be covered by the Immunization Action Plan grant; now, therefore, be it

RESOLVED, that Dawn Rose, RN, be authorized to attend National Immunization Conference in Dallas, Texas from March 30 – April 2, 2009 at no cost to the county.

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

RESOLUTION NO. 868-08: AUTHORIZATION TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH WAYNE COUNTY RURAL HEALTH NETWORK FOR THE ORAL HEALTH PROJECT

Ms. Park presented the following:

WHEREAS, the Wayne County Public Health Department (WCPH) and the Wayne County Rural Health Network (WCRHN) were awarded a grant from the Greater Rochester Health Foundation in the amount of \$399,960 over a three year period, to provide for limited free dental services in Wayne County; and

WHEREAS, under the MOU, WCRHN will fund specified dental hygiene and dental services, activities, equipment, rental space, and supplied to be utilized at the dental clinic at WCPH; and

WHEREAS this agreement and the funding provided by WCRHN will begin July 1, 2008 and will end June 30, 2011; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a MOU between WCPH and WCRHN for the period July, 2008 to June 30, 2011, 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. 869-08: AUTHORIZATION TO AMEND PUBLIC HEALTH SLIDING FEE SCALE FOR YEAR 2009

Ms. Park presented the following:

WHEREAS, Wayne County Public Health prepares a sliding fee scale based on Medicaid poverty level changes determined by the Office of Medicaid Management, and

WHEREAS, fees charged for such services provided for by Public Health are amended due to the cost of program operations; and

WHEREAS, the 2009 rates have been reviewed by Jack Venesky and Associates; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to amend the current fee scale to reflect Medicaid poverty levels and rate changes.

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

RESOLUTION NO. 870-08: AUTHORIZATION TO SUBMIT REVISED BUDGET AND WORK PLAN AND EXECUTE CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR CANCER SCREENING SERVICES IN WAYNE COUNTY

Ms. Park presented the following:

WHEREAS, Wayne County Public Health currently has a contract with the NYS DOH to provide cancer screening services to eligible men and women in Wayne County; and

WHEREAS, due to the state's financial crisis, reductions were made to certain appropriations; and

WHEREAS, these reductions apply to contracts in the Cancer Services Program; and

WHEREAS, the Wayne County Public Health Cancer Screening Program will be reduced by \$9,334; now, therefore, be it

RESOLVED, that the Director of Wayne County Public Health is hereby authorized to submit a revised budget in the amount of \$155,575; and be it further

RESOLVED, that the Chairman of Wayne County Board of Supervisors is hereby authorized and directed to execute a revised contract for the Cancer Screening Partnership of Wayne County subject to the County Attorney's approval as to form and content for the period 04/01/08 to 03/31/09 in the amount of \$155,575.

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

RESOLUTION NO. 871-08: AUTHORIZATION TO SUBMIT A REVISED BUDGET AND WORK PLAN FOR EARLY INTERVENTION ADMINISTRATION AND EXECUTE CONTRACT

Ms. Park presented the following:

WHEREAS, Wayne County Public Health currently has a contract with New York State Department of Health for the Early Intervention Administration contract for the period October 1, 2008 to September 30, 2009 in the amount of \$71,507; and,

WHEREAS, Wayne County Public Health must submit a revised budget and work plan due to recent notification from the NYS DOH that the award has been reduced from \$71,507 to \$66,666 due to the financial crisis; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to submit a revised budget and work plan; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content for the period October 1, 2008 to September 30, 2009 for an amount not to exceed \$66,666.

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

RESOLUTION NO. 872-08: AUTHORIZATION TO SUBMIT REVISED BUDGET AND WORK PLAN AND EXECUTE CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR CANCER SCREENING SERVICES IN WAYNE COUNTY FOR PERIOD 4/1/08-3/31/13

Ms. Park presented the following:

WHEREAS, Wayne County Public Health currently has a five year (4/1/08 to 3/31/13) contract with the NYS DOH to provide cancer screening services to eligible men and women in Wayne County; and,

WHEREAS, due to the state's financial crisis, reductions were made to certain appropriations; and

WHEREAS, these reductions apply to contracts in the Cancer Services Program; and

WHEREAS, Wayne County Public Health Cancer Screening Program five year has been reduced by \$6,929; now, therefore, be it

RESOLVED, that the Director of Wayne County Public Health is hereby authorized to submit a revised budget and work Plan in the amount of \$570,449; and be it further

RESOLVED, that the Chairman of Wayne County Board of Supervisors is hereby authorized and directed to execute a revised contract for the Cancer Screening Partnership of Wayne County subject to the County Attorney's approval as to form and content for the period 04/01/08 to 03/31/13 in the amount of \$570,449.

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

RESOLUTION NO. 873-08: AUTHORIZATION TO CERTIFY AND SUBMIT THE 2009 PUBLIC HEALTH STATE AID APPLICATION

Ms. Park presented the following:

WHEREAS, the New York State Department of Health (NYSDOH) requires an annual application for state aid; and

WHEREAS, the application must be certified; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to certify the 2009 state aid application; and be it further

RESOLVED, that the Public Health Department is hereby authorized and directed to submit the 2009 state aid application to NYSDOH for approval.

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

RESOLUTION NO. 874-08: AUTHORIZATION TO RENEW CONTRACT WITH DR. EDWARDS, MEDICAL CONSULTANT FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health's Medical Consultant, Dr. Frank Edwards contract is up for renewal; and

WHEREAS, Dr. Edwards is willing and able to continue providing medical oversight, consultation services, supervision of Nurse Practitioner for STD/HIV Program, and assistance in maintaining liaison with other health care providers in the community; now, therefore, be it

RESOLVED, the Chairman of the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a renewed contract with Dr. Frank Edwards for the period January 1, 2009 to December 31, 2009, subject to the County Attorney's approval as to form and content for an amount not to exceed \$10,000.

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

RESOLUTION NO. 875-08: AUTHORIZATION TO RENEW CONTRACT WITH S²AY RURAL HEALTH NETWORK

Ms. Park presented the following:

WHEREAS, Wayne County Public Health wishes to renew its contract with Yates County Public Health for the purpose of retaining a joint Corporate Compliance Officer and an In-Service Coordinator as independent contractors and sharing the cost with the S²AY Rural Health Network partnership that includes Allegany, Steuben, Schuyler, Ontario, Seneca and Yates; and,

WHEREAS, Wayne County Public Health's share is \$15,375 during the period of this contract; 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 Yates County Public Health Nursing Service on behalf of the S²AY Network for the period January 1, 2009 to December 31, 2009 at a cost not to exceed \$15,375.

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

RESOLUTION NO. 876-08: AUTHORIZATION TO RENEW CONTRACT FOR BILINGUAL SERVICES FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health currently has a contract with Richard Mark Hilton to provide translation and interpretation for various departments; and; and,

WHEREAS, Mr. Hilton is willing and able to continue providing this services and.

WHEREAS, Mr. Hilton will work not more than eight hours a week at a rate of \$15/hour not to exceed \$6,000 per year; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a renewed contract with Mark Hilton on behalf of the County of Wayne for the period November 1, 2008 to January 1, 2010 at a rate of \$15/hr not to exceed \$6,000 per year pending approval of the 2009 County Budget.

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

RESOLUTION NO. 877-08: AUTHORIZATION TO RENEW CONTRACT WITH UNIVERSITY OF ROCHESTER PULMONARY AND CRITICAL CARE UNIT

Ms. Park presented the following:

WHEREAS, the County currently contracts with the University of Rochester Pulmonary and Critical Care Unit with Dr. Mark Frampton providing services to Wayne County Public Health Services as the Tuberculosis (TB) Program physician/consultant; and

WHEREAS, on behalf of the University of Rochester, Dr. Frampton holds an on-site TB clinic every month to see Wayne County residents; and,

WHEREAS, the University of Rochester has agreed to renew the contract and receive a minimum of \$870.30 per clinic for a total not to exceed \$10,443.64 per year; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement with the University of Rochester Pulmonary and Critical Care Unit on behalf of the County of Wayne, at a rate of \$870.30 per clinic for a total not to exceed \$10,443.64 per year, subject to the County Attorney's approval as to form and content, for the period January 1 2008 to December 31, 2008, pending approval of the 2009 County Budget.

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

RESOLUTION NO. 878-08: AUTHORIZATION TO CONTRACT FOR REGISTERED DIETICIAN FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health, per Section 85.40 of 10 NYCRR, in order to operate a MOMS program (Medicaid Obstetrical and Maternal Services Health Supportive Services) we must contract with a Registered Dietician; and

WHEREAS, this Registered Dietician will provide professional nutritional counseling, monitoring/follow-up of at-risk women and documentation of nutritional assessment, risk status and nutrition care plan to the MOMS provider; and

WHEREAS, Geraldine Morse at 3260 Sand Hill Rd., Marion, NY 14505 has agreed to provide such service for a fee of not more than \$40 per hour including mileage; now, therefore, be it

RESOLVED the Chairman of the Board of Supervisors is hereby authorized and directed to execute a renewed contract with Geraldine Morse, RD on behalf of the County of Wayne for the period January 1, 2009 to December 31, 2009 at a rate of \$40 per hour not to exceed \$2,000 per year, pending approval of the 2009 County Budget.

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

RESOLUTION NO. 879-08: AUTHORIZATION TO RENEW CONTRACT WITH REALITY CHECK FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Huther Doyle Memorial Institute is interested in renewing its lease for office space to house the Program Coordinator for the Tobacco Youth Initiative Grant Program Reality Check, and,

WHEREAS, Wayne County Public Health has office space available at a cost of \$3,106.48 per year with \$776.62 to be paid quarterly, which will include heat, water, sewer, janitorial, electricity and repairs in the annual cost, and,

WHEREAS, telephone, postage and use of fax will be billed on a monthly basis and, use of copier at a cost of \$.10 per copy, now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a lease agreement with Huther Doyle Memorial Institute

effective 1/1/09 - 12/31/09, subject to the County Attorney's approval as to form and content at a cost not to exceed \$3,106.62.

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

RESOLUTION NO. 880-08: AUTHORIZATION TO RENEW LEASE WITH PITNEY BOWES FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, the Wayne County Public Health Department currently leases its postage machine from Pitney Bowes, Inc. and shares the cost with Office of the Aging & Youth, Wayne Behavioral Health and Workforce Development; and

WHEREAS, our current lease expires in December 2008; and

WHEREAS, the Health Department would like to renew the current lease period for 51 months at \$351/month (\$2.00/month increase); 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 Pitney Bowes, Inc. for leasing a DM525 Digital Mailing system at a cost not to exceed \$351/month, for the period Jan. 1, 2009 through Dec. 31, 2013.

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

RESOLUTION NO. 881-08: AUTHORIZATION TO APPROVE RELIANCE TRUST COMPANY AS TRUSTEE FOR THE WAYNE COUNTY DEFERRED COMPENSATION PLAN

Mrs. Collier presented the following:

WHEREAS, State Street Bank and Trust Company ("State Street") currently serves as passive, nondiscretionary Trustee for the County of Wayne Deferred Compensation Plan (the "Plan"); and

WHEREAS, State Street has provided notice to Hartford Life Insurance Company that it will no longer provide these services to our customers beyond January 9, 2009; and

WHEREAS, as a result, it is desirable to remove State Street as passive, nondiscretionary Trustee of the trust for the Plan and to appoint Reliance Trust Company ("RTC") as successor passive, nondiscretionary Trustee of the trust for the Plan; now, therefore, be it

RESOLVED, that State Street is hereby removed as passive, nondiscretionary Trustee of the trust for the Plan, and that Reliance Trust Company is hereby appointed as successor passive, nondiscretionary Trustee of the trust for the Plan; and be it further

RESOLVED, that James D. Hoffman, on behalf of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized, empowered and directed to execute any and all documents required to effectuate each removal and appointment, including but not limited to the enclosed Trustee Removal and Appointment, and to take such actions as are necessary, appropriate or advisable to effectuate the foregoing resolution.

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

RESOLUTION NO. 882-08: ADOPTING INTERNAL REVENUE SERVICE MILEAGE RATE AS COUNTY MILEAGE ALLOWANCE FOR 2009

Mrs. Collier presented the following:

WHEREAS, the IRS has issued its per mile rate allowed for reimbursement for standard mileage at .55 cents per mile, down from .585 cents per mile in 2008, for 2009; and

WHEREAS; Wayne County has negotiated with its unions the use of an approved IRS rate per mile for reimbursement to employees on approved County business; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby approves the per mile

rate of .55cents, effective January 1, 2009, for all County approved travel reimbursement.
Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 883-08: LOCAL LAW PROVIDING FOR CHANGES IN SALARIES OF CERTAIN COUNTY OFFICERS DURING THEIR TERM OF OFFICE (2009)

Mrs. Collier presented the following:

WHEREAS, the County of Wayne is desirous of providing for a salary increase for certain county officers during their term of office; and

WHEREAS, the Public Hearing for said Local Law was conducted on December, 16, 2008; and

WHEREAS, the Government Operations Committee is recommending 2009 salaries as listed below; now, therefore, be it

RESOLVED, the following Local Law is hereby enacted:

A Local Law providing for changes in the salaries of certain County officers during their term of office.

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

SECTION 1. The annual salary of the County Treasurer shall be \$68,590 effective January 1, 2009.

SECTION 2. The annual salary of the County Clerk shall be \$70,279 effective January 1, 2009.

SECTION 3. The annual salary of the County Coroner shall be \$37,283 effective January 1, 2009.

SECTION 4. The annual salary of the Commissioner of Social Services shall be \$83,502 effective January 1, 2009.

SECTION 5. The annual salary of the County Administrator shall be \$113,300 effective January 1, 2009.

SECTION 6. The annual salary of the County Attorney shall be \$90,146 effective January 1, 2009.

SECTION 7. The annual salary of the Public Defender shall be \$84,726 effective January 1, 2009.

SECTION 8. The annual salary of the Fire Coordinator shall be \$27,178 effective January 1, 2009.

SECTION 9. The annual salary of the Director of Real Property Tax Service shall be \$61,800 effective January 1, 2009.

SECTION 10. The annual salary of the Human Resource Director shall be \$80,000 effective January 1, 2009.

SECTION 11. The annual salary of the Superintendent of Highways shall be \$74,263 effective January 1, 2009.

SECTION 12. The annual salary of the Sheriff shall be \$86,508 effective January 1, 2009.

SECTION 13. The annual salary of the District Attorney shall be \$128,186 effective January 1, 2009

SECTION 14. An incumbent holding a position subject to the provisions of Sections 1 through 12 of this local law at the time during the period from the effective date of the salary increase for such position until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefore, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.

SECTION 14. If any clause, sentence, paragraph, part or provision of this local law shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment

shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part or provision thereof directly involved in the controversy in which such judgment is rendered.

SECTION 15. This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof, in the manner provided by law.

SECTION 16. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2009.

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

RESOLUTION NO. 884-08: AUTHORIZATION TO LEASE FOR POSTAGE METER SYSTEM WITH PITNEY BOWES LOCATED AT THE COUNTY CLERK'S OFFICE BUILDING

Mrs. Collier presented the following:

WHEREAS, the Wayne County Clerk's Office currently leases a postage machine from Pitney Bowes, Inc. and share the cost with many county departments located in the downtown area; and

WHEREAS, the current lease is due to expire in March 2009 with a proposed increase of \$39.00 extra per month starting in 2009; and

WHEREAS, the County has been given the opportunity to upgrade the lease now vs. March of 2009, with an increase of only \$5.00 per month compared to \$39; now, therefore, be it

RESOLVED, that the Wayne County Clerk is hereby authorized to upgrade the lease on the current postage meter system for the lease period of 51 months at \$568 per month; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute any documentation relating to the lease, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Pitney Bowes, Inc., for the leasing of a DM 800 Digital Mailing System at a cost not to exceed \$568 per month, for the lease period of April 1, 2009 to June 30, 2013.

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

RESOLUTION NO. 885-08: APPOINTMENT TO WAYNE COUNTY WATER AND SEWER AUTHORITY

Mr. Spickerman presented the following:

WHEREAS, the Chairman of the Board of Supervisors has recommended that the following person be appointed to the Wayne County Water and Sewer Authority for a term of office beginning January 1, 2009 and expiring December 31, 2011:

Mark Graf
P.O. Box 531
Macedon, New York 14502

RESOLVED, that the Board of Supervisors approves and ratifies this appointment to the Wayne County Water and Sewer Authority.

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, all Supervisors voted Aye. Mr. Lyon Abstained from voting. Absent – Supervisor LeRoy. The Chairman declared the Resolution adopted.

RESOLUTION NO. 886-08: REAPPOINTMENTS TO WAYNE COUNTY WATER AND SEWER AUTHORITY

Mr. Spickerman presented the following:

WHEREAS, the Chairman of the Board of Supervisors has recommended that the following members be reappointed to the Wayne County Water and Sewer Authority for a term of office beginning January 1, 2009 and expiring December 31, 2011:

Leo Jenkins
10505 Turnpike Road
Clyde, New York 14433

Raymond Walvoord
4281 Congdon Road
Williamson, New York 14589; now, therefore be it

RESOLVED, that the Board of Supervisors approves and ratifies these reappointments to the Wayne County Water and Sewer Authority.

Mr. Groat moved the adoption of the resolution. Seconded by Mr. Fabino. Upon roll call, all Supervisors voted Aye. Mr. Lyon Abstained from voting. Absent – Supervisor LeRoy. The Chairman declared the Resolution adopted.

RESOLUTION NO. 887-08: REAPPOINTMENTS TO WESTERN FINGER LAKES SOLID WASTE MANAGEMENT AUTHORITY

Mr. Spickerman presented the following:

WHEREAS, the Chairman of the Board of Supervisors has recommended that the following members be reappointed to the Western Finger Lakes Solid Waste Management Authority for a term of office beginning January 1, 2009 and expiring December 31, 2011:

Susie Earl
312 West Avenue
Newark, New York 14513

Robert Hutteman
6879 Fairville Station Road
Newark, New York 14513

RESOLVED, that the Board of Supervisors approves and ratifies these reappointments to the Western Finger Lakes Solid Waste Management Authority.

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

RESOLUTION NO. 888-08: AUTHORIZATION TO AMEND RESOLUTION NO. 697-08 FOR THE PURCHASE OF DIGITAL CAMERA FOR PLANNING DEPARTMENT

Mr. Spickerman presented the following:

WHEREAS, Resolution No. 697-08 authorized the purchase of a digital camera for the Planning Department at a cost not to exceed \$325; and

WHEREAS, shortly after the quotes were obtained for a Canon Power Shot S5 IS digital camera the model was discontinued; and

WHEREAS, the Canon Power Shot SX 10 IS the replacement model; now, therefore be it

RESOLVED, that the Planning Department is hereby authorized to purchase a digital camera at a cost not to exceed \$360 from state bid contract or best quotes according to the County's regulations and policies for purchasing and bidding; and be it further

RESOLVED, that Resolution No. 697-08 is hereby amended as noted above.

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

RESOLUTION NO. 889-08: AUTHORIZING ADMINISTRATIVE AGREEMENT WITH WESTERN FINGER LAKES SOLID WASTE MANAGEMENT AUTHORITY

Mr. Spickerman presented the following:

WHEREAS, the Western Finger Lakes Solid Waste Management Authority developed a contract for administrative services provided by the Director of Planning, with Wayne County, which will expire on December 31, 2008; now, therefore be it

RESOLVED, that the Chairman of the Board be authorized to execute an agreement, subject to approval of the County Attorney as to form and content, for the period 1/1/09 - 12/31/09 under the same terms and conditions contained in the current contract.

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

RESOLUTION NO. 890-08: AUTHORIZE PURCHASE OF A FILE CABINET AND TRANSFER FUNDS FOR THE TOURISM DEPARTMENT

Mr. Spickerman presented the following:

RESOLVED, that the Director of Tourism is hereby authorized to purchase (1) file cabinet at a cost not to exceed \$455; and be it further

RESOLVED, requisitions will be generated for the above purchases after the necessary funds are approved and transferred; and be it further

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

Account No. A 6410 - TOURISM

\$455.00 from Account No. A64104-.54460 (Promotion) to A6410-52500 (Other Equipment)

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

RESOLUTION NO. 891-08: AUTHORIZE PURCHASE OF COMPUTERS AND TRANSFER FUNDS FOR TOURISM DEPARTMENT

Mr. Spickerman presented the following:

RESOLVED, that the Director of Tourism is hereby authorized to purchase (2) computer stations at a cost not to exceed \$1550; and be it further

RESOLVED, requisitions will be generated for the above purchases after the necessary funds are approved and transferred; and be it further

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

Account No. A 6410 - TOURISM

\$1,700.00 from Account No. A64104-.54460 (Promotion) to A6410-52500 (Other Equipment)

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

RESOLUTION NO. 892-08: AUTHORIZATION TO ADVERTISE FOR BIDS FOR "MODIFICATIONS TO THE WAYNE COUNTY FIRE TRAINING STRUCTURE"

Mr. Fabino presented the following:

WHEREAS, Senator Mike Nozzolio has provided funding for the specific purpose of making much needed improvements to the Fire Training Burn Facilities; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds in conjunction with the Fire Coordinator are authorized to seek bids for modifications to the burn house to provide a usable fire training facility; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise for bids for Modifications to the Wayne County Fire Training Structure, in accordance with the specifications approved by the County Attorney, and that the Clerk is hereby authorized and directed to publicly open the bids at the time specified in the advertisement for bidders, and then present a record of the bids received at the next meeting of the Board of Supervisors following the bid opening.

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

RESOLUTION NO. 893-08: AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE DISPOSAL OF SURPLUS MATERIALS

Mr. Fabino presented the following:

WHEREAS, surplus items stored at the former Nursing Home have been inventoried and a tag sale has been held to dispose of said surplus; and

WHEREAS, numerous items were not sold and need to be disposed of; and

WHEREAS, Wayne County needs to dispose of this surplus of metal and other items; now therefore be it,

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bids for the purchase and/or disposal of surplus metals and other items as one lot in accordance with specifications prepared by the Buildings & Grounds Superintendent and subject to the County Attorney's approval as to form and content; and be it further

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

RESOLUTION NO. 894-08: AUTHORIZATION TO APPROVE 2008 HIGHWAY CONSTRUCTION PROJECT STATEMENT AND APPROPRIATE FUNDS & TRANSFER FUNDS, AND CLOSE PROJECTS

Mr. Fabino presented the following:

WHEREAS, in accordance with Section 115 of the Highway Law, the Superintendent of Highways has prepared a project statement of proposed work for the following project:

08-11 West Walworth Road Hamlet Reconstruction Project \$111,367.26
now, therefore, be it

RESOLVED, that the Project Statement prepared by the Superintendent of Highways is hereby approved by the Board of Supervisors, and the Chairman of the Board and the Clerk of the Board are hereby authorized and directed to endorse such approval on the Project Statement; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to create line item for the West Walworth Road Hamlet Reconstruction Project and transfer funds as listed below from the following accounts:

\$111,367.26 to D51122.52611 (West Walworth Road Hamlet Reconstruction Project)

\$23,272.98 from D51122.52604 (North Huron Culvert Hamlet Project)

\$88,094.28 from D51122.52696 (Newark Marion Road Project); and be it further

RESOLVED, that the following highway construction project with Account D51122. Road & Bridge Construction having zero balances is hereby closed:

.52604 North Huron Culvert Hamlet Project

.52696 Newark Marion Road Project

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

RESOLUTION NO. 895-08: AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONCRETE SIDEWALKS & GUTTERS AND PAVEMENT MILLING FOR THE WEST WALWORTH ROAD HAMLET PROJECT

Mr. Fabino presented the following:

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bids for Concrete Sidewalks & Gutters and Pavement Milling for the West Walworth Road Hamlet Project (D51122.52611), in accordance with

specifications prepared by the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that all costs associated with the sidewalks are to be the expense of the Town of Walworth; and be it further

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

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

RESOLUTION NO. 896-08: AUTHORIZATION TO ADVERTISE FOR BIDS FOR HIGHWAY MATERIALS FOR THE COUNTY OF WAYNE AND MUNICIPAL HIGHWAY DEPARTMENTS

Mr. Fabino presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for construction and maintenance material for the County of Wayne and municipal highway departments in the fiscal year 2009. Material will include, but not be limited to: bituminous materials (liquid), bituminous pre-mixed stockpile patching, bituminous slurry seal, fiber reinforced bituminous membrane surface treat, paver chip seal, hot in place asphalt recycling, in place recycling types I, II, III, bituminous concrete plant mix, cold mix bituminous pavement (open & dense grade), miscellaneous cold milling, calcium chloride, steel sign post, aluminum sign blanks, guide rail, guide rail posts and accessories, snow and ice control sand, timber materials, crushed stone and asphalt paving with operators in accordance with specifications prepared by the Wayne County Highway Superintendent and approved by the County Attorney as to content and form; and be it further

RESOLVED, that the County Highway Superintendent is hereby designated and directed to publicly open the bid(s) at the time and place specified in the bid documents and to present a record of the bids(s) at the next meeting of the Board of Supervisors following the bid opening; and be it further

RESOLVED, that the bid specifications shall provide that any municipal highway department purchasing materials pursuant to the bid shall be solely responsible for the audit and inspection of such materials and for any payments due the vendor.

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

RESOLUTION NO. 897-08: AUTHORIZATION TO PAY HIGHWAY DEPARTMENT EMPLOYEE OUT OF TITLE PAY

Mr. Fabino presented the following:

WHEREAS, Tom Walton will be Construction Foreman on the West Walworth Hamlet Project in the 2008-2009 Construction Season; and

WHEREAS, the Wayne County never replaced the Highway Department's second Highway Construction Foreman Position; and

WHEREAS, Chris Hubbs, the Construction Foreman, will be in charge of the tree removal crew and Bill Mead, Bridge Foreman, will be in charge of the crew working the flagged bridges in Wayne County; now, therefore be it

RESOLVED, that the County Highway Superintendent is authorized and directed to pay Thomas Walton differential pay of \$2.181 per hour for working out of title as Construction Foreman from December 14, 2008 to January 20, 2009.

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

RESOLUTION NO. 898-08: AUTHORIZATION TO REIMBURSE TOWNS FOR THE IMPLEMENTATION FOR THE SURVEY AND REPLACEMENT SIGNS FOR THE FEDERAL ADMINISTERED HIGHWAY PROGRAM

Mr. Fabino presented the following:

WHEREAS, the Wayne County Sign Project has been identified for survey and replacement of signs at an estimated cost of \$275,000 in which Marchiselli Funds will be utilized; and

WHEREAS, the initial phase is the design and survey of the project; now, therefore, be it

RESOLVED, that the Wayne County Highway Superintendent is hereby authorized and directed to pay the following towns:

Town of Marion	\$ 9,500.00
Town of Williamson	\$ 9,500.00
Town of Huron	\$ 9,500.00
Town of Butler	\$ 3,919.00

and be it further

RESOLVED, that the payments represent a 95% reimbursement to the Towns of up to \$10,000 worth of engineering services from Lu Engineers and/or signage materials.

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

RESOLUTION NO. 899-09: AUTHORIZE APPLICATION TO THE NYS DEPARTMENT OF STATE FOR A LOCAL GOVERNMENT EFFICIENCY GRANT FOR THE WAYNE COUNTY CONSOLIDATED SIGNAGE PROGRAM

Mr. Fabino presented the following:

WHEREAS, Wayne County, in partnership with its participating towns, conducted a signage study that established a database that includes all required highway sign design and placement specifications; and

WHEREAS, the study also assigned GPS locations for all highway signs on County and Town Roads; and

WHEREAS, Wayne County and its participating towns would like to continue this partnership by applying to the NYS Department of State for a Local Government Efficiency Implementation Grant to consolidate the administration, maintenance, and replacement of all signs located on Town and County Roads into the Wayne County Highway Department, which will reduce costs to local highway departments and establish continuity regarding compliance with new signage regulations; now, therefore, be it

RESOLVED, that Wayne County will serve as the lead applicant for the NYS Local Government Efficiency Grant; and be it further

RESOLVED, that James D. Hoffman, Chairman of the Wayne County Board of Supervisors, is designated as the lead applicant contact person and is authorized to submit an application to the NYS Department of State for a Local Government Efficiency Implementation Grant for the 2008-2009 Program Year for the Wayne County Consolidated Signage Program and to execute all financial and/or administrative processes related to the grant program, subject to approval as to form and content by the County Attorney; and be it further

RESOLVED, that Wayne County intends to enter into an intermunicipal agreement with the participating towns authorizing the centralized and consolidated administration, maintenance and replacement of all signs located on Town and County Roads; and be it further

RESOLVED, that Wayne County authorizes the following co-applicants:

The Town of Arcadia	The Town of Macedon	The Town of Savannah
The Town of Butler	The Town of Marion	The Town of Sodus
The Town of Galen	The Town of Ontario	The Town of Walworth
The Town of Huron	The Town of Palmyra	The Town of Williamson
The Town of Lyons	The Town of Rose	The Town of Wolcott

and be it further

RESOLVED, that Wayne County authorizes a total LGE funding request of \$ 900,000; and be it further

RESOLVED, that Wayne County and the participating municipalities will provide their respective share of the required 10 percent funding match.

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

RESOLUTION NO. 900-08: AUTHORIZATION TO AMEND RESOLUTION NO 793-07 AGREEMENT BETWEEN THE COUNTY OF WAYNE AND NEW YORK STATE FOR LAKE ROAD BRIDGE OVER MAXWELL CREEK

Mr. Fabino presented the following:

WHEREAS, the Lake Road Bridge over Maxwell Creek Bridge Replacement, P.I.N. 4754.20, is eligible for Federal funding under Title 23 U.S. Code, in the amount of \$499,000; and

WHEREAS, Wayne County has previously funded the Lake Road over Maxwell Creek project in the amount of \$655,760 in County funds; and

WHEREAS, the County of Wayne desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$1,154,760; and now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the County of Wayne to pay the first instance 100% of the federal and non-federal share of the cost of design work for the project or portions thereof; 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 the New York State for the replacement of Lake Road Bridge over Maxwell Creek (PIN 4754.20) in the Town of Sodus.

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

RESOLUTION NO. 901-08: AUTHORIZATION TO RENEW CONTRACT BETWEEN COUNTY OF WAYNE AND MICHAEL SHEEHE, COORDINATOR OF EDUCATION 1/1/09-12/31/09

Mrs. Bender presented the following:

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 Michael Sheehe (Palmyra, NY) for the provision of alcohol, drug and highway safety oriented educational programs in Wayne County for the period of 1/01/09-12/31/09; and be it further

RESOLVED, that Michael Sheehe shall receive a fee for services in the amount of \$13,650 payable in equal monthly installments of \$1,365 each for the months of January, February, March, April, May, June, September, October, December, and December plus the following expenses:

Administrative Expenses including mileage (at a rate set by the Board of Supervisors), clerical, telephone, postage, copying and other expenses approved by the STOP DWI Coordinator; provided, however, that in no event shall the total amount of such expenses reimbursed by the County during the period of the agreement exceed the sum of \$1000.

Presentation Expenses including fees paid to third-party presenters and other persons assisting in the presentation of programs, equipment, clerical and other expenses approved by the STOP-DWI Coordinator; provided, however, that in no event shall the total amount of such expenses reimbursed by the County during the term of the agreement exceed the sum of \$8,600.00; and be it further

RESOLVED, that the Professional Liability Insurance coverage required by Wayne County's minimum insurance standards is hereby waived for the duration of this contract with Michael Sheehe for the provision of alcohol, drug and highway safety oriented educational programs in Wayne County.

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

RESOLUTION NO. 902-08: AUTHORIZATION TO RENEW CONTRACT WITH FLACRA FOR

2009

Mrs. Bender presented the following:

RESOLVED, the contract between Wayne County STOP DWI and Finger Lakes Addictions Counseling and Referral Agency, Inc. for a Relapse Prevention Program for inmates at the Wayne County Jail shall be renewed for the period of 1/1/09-12/31/09 in the amount of \$15,000.

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

RESOLUTION NO. 903-08: AUTHORIZATION TO PARTICIPATE IN THE MONROE COUNTY PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS PROGRAM

Mrs. Bender presented the following:

WHEREAS, the County of Monroe applied for, and has been selected to receive, a federal grant as part of the 2007 Public Safety Interoperable Communications (PSIC) program, in the amount of \$2,607,000, and

WHEREAS, the regional project specified in the Monroe PSIC grant involves radio infrastructure improvements in Monroe County, as well as the five surrounding counties, including Wayne County, which will allow for interoperable communications on a regional level, and

WHEREAS, the regional PSIC project includes installation of VHF, UHF, and 800 MHz radio base stations at one or more locations within Wayne County, as well as portable radios, at a budgeted allocation for Wayne County of \$159,000, and

WHEREAS, the 20% local funding match required in the PSIC program is to be provided by the County of Monroe, through infrastructure improvements, and through the purchase and equipping of a mobile communications vehicle available to Monroe County agencies, and adjacent participating counties, and

WHEREAS, upon successful completion of the regional PSIC project, each county will be responsible for ongoing maintenance costs for any equipment provided to it under the regional PSIC program, following the expiration of equipment warranties; now, therefore, be it

RESOLVED, that the County of Wayne hereby agrees to participate in the regional PSIC project, as specified in the grant awarded to the County of Monroe.

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

RESOLUTION NO. 904-08: ESTABLISHING ASSET DISTRIBUTION PRINCIPLES RELATIVE TO RADIO SYSTEM GRANT

Mrs. Bender presented the following:

WHEREAS, the County of Wayne has been awarded over \$1.6M as part of the federal Public Safety Interoperable Communications (PSIC) grant program; and

WHEREAS, the majority of the funding to be received is to be utilized as part of the conversion of Wayne County fire service radio operations to the VHF band, which will allow for interoperability with police and EMS agencies; and

WHEREAS, current inventories of radio equipment have been sought and received from the fire departments; and

WHEREAS, consideration has been given by the Wayne County Radio Communications Committee as to how to equitably distribute the assets that are to be received as part of the grant, in the event that grant funding is not sufficient to replace all radio equipment for all affected fire departments; now, therefore, be it

RESOLVED, that it is the intent of the Board of Supervisors to distribute radio equipment and services purchased using grant funding based on documented need, through the completion of equipment inventories and by meeting with fire department personnel; and be it further

RESOLVED, that in the event that funding is not sufficient to allow for procurement of all

radio equipment and services needed by the fire departments and EMS provider agencies converting to VHF operation, that distribution shall be based on an equivalent percentage applied uniformly to all departments or agencies involved.

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

RESOLUTION NO. 905-08: AUTHORIZATION TO FUND EMS TRAINING CLASS USING MYERS TWIG TRUST FUNDS

Mrs. Bender presented the following:

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

WHEREAS, the following continuing medical education class is proposed:

Spinal Immobilization Update

December 17, 2008

Presenter: Mark Tornstrom

now, therefore, be it

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

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

RESOLUTION NO. 906-08: FIRE ADVISORY BOARD APPOINTMENTS FOR 2009

Mrs. Bender presented the following:

WHEREAS, the terms of the office of the members of the Wayne County Fire Advisory Board expire on December 31, 2008;

WHEREAS, historically the terms of office for Fire Advisory Board members has been 1 year, now, therefore, be it

RESOLVED, henceforth, Fire Advisory Board terms of office shall be for a period of 2 years, and therefore, be it further,

RESOLVED, that the following are hereby appointed to individual terms of office commencing January 1, 2009 and ending December 31, 2010:

Doug Hares, Arcadia

Ronald Hickman, Palmyra

Alfred Rusch, Butler

Jack Newman, Rose

George Bastedo, Galen

Scott Kolczynski, Savannah

Gary Lockwood, Huron

Tom Roder, Sodus

Charles Gibson, Lyons

Ray Welker, Jr., Walworth

Kenneth Hammond, Macedon

David Knataitis, Williamson

Richard Murphy, Marion

Lonny Drake, Wolcott

Rich Luety, Ontario

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

RESOLUTION NO. 907-08: AUTHORIZATION TO PURCHASE EDUCATIONAL SUBSCRIPTION

Mrs. Bender presented the following:

WHEREAS, the Wayne County Public Defender's Office applied for and received a grant from the New York State Division of Criminal Justice Services; and

WHEREAS, the grant provides funds for the education and training of personnel employed by the Wayne County Public Defender's Office; and

WHEREAS, the Public Defender's Office is hereby requesting the purchase of a one year subscription and website access to the New York State Law Journal for the introductory one-year subscription fee of \$395.00; now, therefore, be it

RESOLVED, that the Wayne County Public Defender's Office is authorized to purchase

from Borders, the educational materials listed above for a sum not to exceed \$ 395.00, and that said sum shall be paid from line 54483 of the Wayne County Public Defender's Budget.

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

RESOLUTION NO. 908-08: AUTHORIZATION TO PURCHASE EDUCATIONAL MATERIALS FOR THE PUBLIC DEFENDER'S OFFICE

Mrs. Bender presented the following:

WHEREAS, the Wayne County Public Defender's Office applied for and received a grant from the New York State Division of Criminal Justice Services; and

WHEREAS, the grant provides funds for the education and training of personnel employed by the Wayne County Public Defender's Office; and

WHEREAS, the Public Defender's Office is hereby requesting the purchase of the following books and audio cassettes that are available at BORDERS PUBLISHING:

Learn in Your Car Spanish Complete Language Course

Author: [Henry N. Raymond](#)

Audio Compact Disc, \$49.95

The Everything Spanish Phrase Book: A Quick Reference for Any Situation

Author: [Cari Luna](#)

Book, \$9.95 x 3 - \$29.95

Diagnostic and Statistical Manual of Mental Disorders: Text Revision 2000

Author: APA staff

Book, \$84.00

Mosby's Nursing Drug Reference 2009

Author: [Linda Skidmore-Roth](#)

Book, \$39.95 x 3 - \$119.85

Physicians Desk Reference 2008: Hospital/ Library Version

Author: [Thomson Healthcare Staff](#)

Book, \$94.95

TOTAL: \$378.70

now, therefore, be it

RESOLVED, that the Wayne County Public Defender's Office is authorized to purchase from Borders, the educational materials listed above for a sum not to exceed \$ 378.70, and that said sum shall be paid from line 54483 of the Wayne County Public Defender's Budget.

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

RESOLUTION NO. 909-08: AUTHORIZATION TO AWARD BID FOR INMATE COMMISSARY SERVICES AND RESIDENT BANKING SOFTWARE FOR THE WAYNE COUNTY JAIL

Mrs. Bender presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for Inmate Commissary Services and Resident Banking Software services for the Wayne County Jail; and

WHEREAS, the following bids were received:

Bidder: Keefe Commissary Network

301 Mill Road

Edison, NJ 08837 25% on adjusted gross sales, 22% with cybersuite services

Bidder: Swanson Services Corporation
6731 Collamer Road, Suite 2
E. Syracuse, NY 13057 28.75% of net sales

RESOLVED, that the bid submitted by Swanson Services Corporation 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 Swanson Services Corporation for Inmate Commissary Services and Resident Banking Software services for the Wayne County Jail for a period of three (3) years with the option of a two (2) year extension.

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

RESOLUTION NO. 910-08: AUTHORIZATION TO ADVERTISE FOR BIDS FOR SECURITY FENCING, LIGHTING AND CAMERA FOR SHERIFF'S IMPOUND AREA LOCATED AT THE ROUTE 31 OFFICE COMPLEX

Mrs. Bender presented the following:

WHEREAS, the Sheriff seizes numerous vehicles for civil and criminal reasons, and therefore, the County of Wayne and the Sheriff assume liability for their safe keeping and condition, therefore; be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise for bids for security fencing, lighting and camera for the Sheriff's impound area located at the Route 31 Office Complex in accordance with specifications prepared by the Sheriff's Office and Buildings & Grounds Department and filed with the Clerk of the Board of Supervisors; and be it further

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

RESOLVED, that said equipment is to be purchased from Account No. A387898.

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

RESOLUTION NO. 911-08: TRANSFER OF FUNDS FOR VARIOUS COUNTY DEPARTMENTS

Mr. Lyon presented the following:

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

WC HIGHWAY DEPARTMENT

\$7,091.55 from D51101.51244 – Maintenance of Roads & Bridges (Meo#1)

\$2,102.82 To D50101.51904 – Administration (Overtime)

\$2,988.73 To D50201.51904 - Engineering (Overtime)

\$2,000 To D51111.1904.51904 – Road Striping & Sign Maintenance (Overtime)

DEPARTMENT OF SOCIAL SERVICES - ADMINISTRATION

Increase Revenue Object Account A60100.43610 (Social Services Administration)

by \$79,400 from \$1,671,013 to \$1,750,413

Increase Revenue Object Account A60100.44610 (Social Services Administration)

by \$120,600 from \$2,533,865 to \$2,654,465

Increase Appropriations Object Account A60104.54500 (Fees for Services Non-Employee)

by \$200,000 from \$816,792 to \$1,016,792

DEPARTMENT OF SOCIAL SERVICES - FAMILY ASSISTANCE

Increase Revenue Object Account A61090.43609 (Family Assistance)
By \$80,000 from \$550,625 to \$630,625

Increase Revenue Object Account A61090.44609 (Family Assistance)
by \$80,000 from \$1,096,250 to \$1,176,250

Increase Appropriations Object Account A61094.54722 (EAF-FC)
by \$160,000 from \$2,450,000 to \$2,610,000

A1180 – WC CORONER

\$1,054 to .51049 – Coroner

\$6,946 to .54509 – Autopsies

\$8,000 from .58400 – Hospitalization

A6772 – AREA AGENCY ON AGING

\$225.00 to .41281 - Aging Reimbursement

\$225.00 to .54485 – Travel

A7311 - YOUTH PROGRAM – RECREATION

\$1,137.00 from .51461 - Lifeguard

\$1,137.00 to .54100 - Supplies & Materials

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

RESOLUTION NO. 912-08: AMEND 2008 TRANSFERS TO OTHER FUNDS BUDGET TO REDUCE COUNTY CONTRIBUTION TO THE NURSING HOME

Mr. Lyon presented the following:

WHEREAS, on December 1, 2008, the balance of funds to be made to the Nursing Home in 2008 is at \$561,647.56; and

WHEREAS, the County of Wayne will not be making this transfer in 2008 and has determined to return the appropriation to the Contingent Account, now, therefore be it

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

A1990-CONTINGENT GEN FUND:

\$561,647.56 to .54000 Contractual Expense

A9901-INTERFUND TRANSFERS:

\$561,647.56 from .59500 Transfer-Nursing Home

E6000-NH COMBINED:

\$561,647.56 from .45031 E9998 Interfund Transfers

\$561,647.56 to .43002 E3020 Medicaid

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

RESOLUTION NO. 913-08: AMEND 2008 TRANSFERS TO OTHER FUNDS BUDGET TO REDUCE COUNTY CONTRIBUTION TO THE NURSING HOME AND RETURN PREVIOUSLY ADVANCED FUNDS FOR 2008

Mr. Lyon presented the following:

WHEREAS, based upon additional IGT funds received in 2008 by the Nursing Home, it has been determined that the full amount of the 2008 County contribution will not be required; and

WHEREAS, the County of Wayne has determined that \$250,000.00 will be the amended 2008 contribution to the Nursing Home and that the amount of funds that exceeds the \$250,000.00 should be returned to the general fund; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$1,104,106.00

from the Nursing Home Fund to the General Fund Contingent Account and amend the 2008 County Budget as follows:

A1990-CONTINGENT GEN FUND:

\$1,104,106.00 to .54000 Contractual Expenses

A9999-OTHER:

\$1,104,106.00 to .45031 Interfund Transfers

E6000-NH COMBINED:

\$1,104,106.00 to .45096 E3050 Misc. Income IGT

\$1,104,106.00 to .59100 E9998 Transfer-General Fund

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

RESOLUTION NO. 914-08: AUTHORIZE NECESSARY 2008 BUDGET TRANSFERS FOR THE YEAR END

Mr. Lyon presented the following:

WHEREAS; year end requires transfer between department and between line items to eliminate deficits; and

WHEREAS the Budget Officer will prepare said line item transfers; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer funds necessary for the year end as prepared by the Budget Officer with a copy of such transfers shall be on file with the Clerk of the Board.

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

RESOLUTION NO. 915-08: TAX REFUND – ERROR ON TAX ROLL

Mr. Lyon presented the following:

WHEREAS, applications for refund of real property tax claimed to be attributable to an error on the tax roll has duly been filed with the Director of Real Property Tax Services (“Director”) for the properties listed below, pursuant to the provisions of Article Five, Title 3 of the Real Property Tax Law; and

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

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

TOWN OF LYONS

2007 Tax Roll

Account No. 71112-00-492725

Assessed to: Thomas Dutcher

Total Tax Difference: \$51.72 Total County Tax Difference: \$24.85

Refund: \$51.72

TOWN OF LYONS

2008 Tax Roll

Account No. 71112-00-492725

Assessed to: Thomas Dutcher

Total Tax Difference: \$51.43 Total County Tax Difference: \$24.46

Refund: \$51.43

TOWN OF MARION

2007 Tax Roll

Account No. 64115-00-321364

Assessed to: Donald Copp

Fund General-Contractual Expense); and be it further,

RESOLVED, that the Director of Real Property Tax Services is hereby authorized to pay the amount stated above in accordance with Resolution 444-95 from Account No. A1355.4506 (Attorneys).

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

RESOLUTION NO. 918-08: AUTHORIZATION TO EXECUTE CONTRACT WITH TRI-DELTA FOR IBM HARDWARE MAINTENANCE FOR INFORMATION TECHNOLOGY DEPARTMENT

Mr. Lyon presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract for the Department of Information Technology, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Tri-Delta for Network IBM Hardware Maintenance for the contract period of January 1, 2009 to December 31, 2009 at a cost not to exceed \$2,799.36.

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

RESOLUTION NO. 919-08: AUTHORIZATION TO WAIVE INSURANCE REQUIREMENTS FOR VICTOR B. CHAMBERS, ESQ. IN CONNECTION WITH AGREEMENTS AUTHORIZED BY RESOLUTIONS NO. 736-08 and 737-08

Mr. Lyon presented the following:

WHEREAS, Wayne County pursuant to resolutions No. 736-08 and 737-08 has authorized contracts with Victor B. Chambers, Esq. to provide assigned counsel administration services for the county; and

WHEREAS, the County requires Professional Liability Insurance as part of Wayne County's Minimum Insurance standards in amounts of \$1,000,000 per occurrence and \$2 million general aggregate; and

WHEREAS, the cost of these coverages for Mr. Chambers is disproportionate to the amount the County will be compensating Mr. Chambers for these services; and

WHEREAS, Mr. Chambers currently has professional liability insurance in the amount of \$500,000 per occurrence and \$1,000,000 in general aggregate; now, therefore, be it

RESOLVED, that the limits of the Professional Liability Policy for Mr. Chambers are reduced to \$500,000 per occurrence and \$1,000,000 general aggregate for said agreements.

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

RESOLUTION NO. 920-08: AUDIT OF CLAIMS – DECEMBER 16, 2008

Mr. Lyon presented the following:

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

RESOLVED, that the following Claims totaling \$3,773,134.81 are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$ 1,831,817.61
2. D Fund	\$ 1,443,135.32
3. DM Fund	\$ 65,561.26
4. E Fund	\$ 326,033.90
5. H Fund	\$ 79,318.40
6. MS Fund	\$ 27,268.32
Warrant Total	\$ 3,773,134.81

and be it further

RESOLVED, that the following utilities totaling \$119,288.52, processed pursuant to

Resolution No. 176-78, are hereby ratified:

1. A Fund	\$	80,733.51
2. DM Fund	\$	3,994.15
3. E Fund	\$	<u>34,560.86</u>
Utility Total	\$	119,288.52

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling \$106,310.92 are hereby ratified:

1. Buildings and Grounds	\$	98,515.00
2. Social Services	\$	272.44
3. Wayne Behavioral Health	\$	136.00
4. Sheriff's Department	\$	<u>7,387.48</u>
Misc. Disbursement Total	\$	106,310.92

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

RESOLUTION NO. 921-08: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE UNIFIED COURT SYSTEM FOR CLEANING SERVICES AS WELL AS MINOR AND EMERGENCY REPAIRS

Mr. Fabino presented the following:

WHEREAS, the County of Wayne has been notified that the New York State Unified Court System is desirous of entering into an agreement with the County of Wayne for cleaning services as well as minor and emergency repairs to the court facility for a five (5) year period; now, therefore, be it

RESOLVED, That the Chairman of the Board of Supervisors, upon the review and approval of the County Attorney, authorized to enter into an agreement for cleaning services as well as minor and emergency repairs to the court facility for the period of State Fiscal Years 2008-2009 through 2012-2013, effective April 1, 2008 and terminating March 31, 2013; and be it further

RESOLVED, the budgeted amount for the period April 1, 2008 to March 31, 2009 is \$96,080.00, subject to the approval by the State Comptroller.

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

EXECUTIVE SESSION: Mrs. Collier moved, seconded by Mr. Kelsch, that the Board go into Executive Session to discuss a personnel issue. Upon roll call, carried.

REGULAR SESSION: Mr. Fabino moved, seconded by Ms. Park that the Board resume regular session. Carried.

Mr. Lauderdale moved, seconded by Ms. Park that five (5) resolutions be allowed on the floor under other business. Upon roll call, all Supervisors voted Aye. Absent – Supervisor LeRoy. The Chairman declared the motion carried.

RESOLUTION NO. 922-08: AUTHORIZATION TO APPOINT HIGHWAY SUPERINTENDENT AND SET SALARY

Mr. Fabino presented the following:

WHEREAS, Kevin Rooney was hired as Assistant Highway Superintendent with anticipation that the Highway Superintendent may retire; and

WHEREAS, James Brady, Highway Superintendent, will retire on December 30, 2008; and

WHEREAS, it is prudent for Wayne County to have a seamless transition to lead the

Highway Department; now, therefore, be it

RESOLVED, that Kevin Rooney is hereby appointed to the position of Highway Superintendent on a probationary basis of 12 weeks in accordance with Wayne County Civil Service Rules; and be it further

RESOLVED, that upon satisfactory completion of the probationary term, such appointment shall become permanent for a term of four (4) years at an annual salary of \$74,263.

Mr. Groat moved, seconded by Mr. Colacino, to amend the second 'WHEREAS' clause as follows:

"WHEREAS, James Brady, Highway Superintendent, will retire on December 31, 2008; and" Upon roll call, carried.

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

RESOLUTION NO. 923-08: AUTHORIZING PAYMENT OF LITIGATION COST AND TRANSFER FUNDS

Mr. Lyon presented the following:

WHEREAS, Resolution No.700-06 approved contributions to legal fees incurred by certain Wayne County Municipalities in defense of Real Property Tax Assessment Review Proceedings; and

WHEREAS, the following Towns have requested reimbursement for litigation fees as follows:

Town of Arcadia	:	
West Union Street Associates (Wendy's Restaurant)		\$454.27
Wal-Mart Stores Inc.		\$300.26

now, therefore, be it

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

\$754.53 to Account No. A1355.4506 (Attorneys) from Account No.A1990.4000 (Contingent Fund General-Contractual Expense); and be it further,

RESOLVED, that the Director of Real Property Tax Services is hereby authorized to pay the amount stated above in accordance with Resolution 444-95 from Account No. A1355.4506 (Attorneys).

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

RESOLUTION NO. 924-08: AUTHORIZATION TO PURCHASE REPLACEMENT SHREDDER FOR DISTRICT ATTORNEY'S OFFICE

Mrs. Bender presented the following:

WHEREAS, the shredder in the District Attorney's Office is out of order with no option for repair; now, therefore, be it

RESOLVED, that the District Attorney is hereby authorized to purchase one (1) shredder at a cost not to exceed \$350.00 from state bid contract or best quotes according to the County's regulations and policies for purchasing and bidding, payable from the .2200 Office Equipment line item within the 2008 budget.

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

RESOLUTION NO. 925-08: AUTHORIZATION TO PROCESS PAYMENT TO NYS DCJS FOR THE WAYNE COUNTY SHERIFF'S OFFICE

Mrs. Bender presented the following:

WHEREAS, the volume of pistol permit applications have dramatically increased over the last two months for the Wayne County Sheriff's Office; and

WHEREAS, the escrow account is based upon lower levels of activity for this service; and
WHEREAS, New York State Division of Criminal Justice Services (DCJS) requires timely payments to replenish said escrow account; now, therefore, be it

RESOLVED, that the County Treasurer and Clerk of the Board are hereby authorized to process payment to NYS DCJS, at a cost not to exceed \$22,500.00 for the purpose of replenishing the escrow account for the processing of pistol permits for the Wayne County Sheriff's Office.

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

RESOLUTION NO. 926-08: AUTHORIZATION TO ABOLISH THE EARLY INTERVENTION PUBLIC HEALTH NURSE POSITION AND CREATE AN EARLY INTERVENTION COORDINATOR POSITION IN PUBLIC HEALTH – CHILDREN WITH SPECIAL NEEDS (3-5)

Ms. Park presented the following:

WHEREAS, the current Public Health Nurse that performs Service Coordination in the Early Intervention program has resigned effective January 2, 2009; and

WHEREAS, it has been determined that an Early Intervention Coordinator position is best suited to perform the necessary functions; and

WHEREAS, that the Director of Public Health would like to eliminate a Public Health Nurse position and create an Early Intervention Coordinator position for Early Intervention Services; now, therefore, be it

RESOLVED, that effective January 3, 2009, one (1) Public Health Nurse position is hereby abolished and one (1) Early Intervention Coordinator position is hereby created.

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

ADJOURNMENT:

The 2009 Organizational Meeting of the Wayne County Board of Supervisors is scheduled for Monday, January 5, 2009 at 9:00 a.m.

Ms. Park moved, seconded by Mrs. Crane that the Board adjourn at 10:14 a.m.

Chairman Hoffman adjourned, Sine Die.

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