

25th Day  
Tuesday, December 21, 2010  
9:00 a.m.

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

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

Upon roll call, all Supervisors were present. County Administrator James Marquette and County Attorney Daniel Wyner were also present for this last board session of the year.

**APPROVAL OF MINUTES:**

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

**COMMUNICATIONS:**

The Clerk the following:

A copy of the Sheriff's Cash Receipts Report for the month of November 2010 for \$14,797.53 was received and filed.

A letter was received from NYSAC acknowledging the forwarding of Resolution No. 683-10, Entitled, "Urging New York State to Significantly Cut the Unfunded Mandates that Cause Local Property Tax Increases before Imposing a Cap on Local Property Taxes".

Letters were received from Sharon Vanliew of North Rose, Richard Muoio from the Town of Galen; and Chuck Tellier, Town of Arcadia, for their opposition with the Board decision to cease collection operations of the Western Finger Lakes Solid Waste Management Authority.

A letter was received from Jack Bailey, Democratic Elections Commissioner, for his name to be withdrawn for consideration for an additional term.

Notification was received from NYS Dept of Transportation regarding the official Order of Closure of a state-owned bridge on Canandaigua Road over the Erie Canal within the Town of Macedon.

A letter was received from the NYS Governor's Traffic Safety Committee, approving the 2011 STOP DWI Plan as submitted.

Information was received from the Department of the Army Corps of Engineers regarding the Great Lakes Navigation System Review for public view and feedback of the February 2010 Supplemental Reconnaissance Report.

A List of Delinquent 2010 Taxes of Parcels situated in the County of Wayne was received from the Wayne County Treasurer.

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

**BIDS:**

Mr. Lauderdale moved, seconded by Mr. Manktelow, that opened bids for Tree Removal and Stump Grinding for the Wayne County Highway Department be referred to the appropriate committees for review. Upon roll call, carried.

**SCHEDULED BUSINESS:**

The Chairman introduced and welcomed Ms. Kyra Yon, Goal ChaserZ Director from the

Wayne County Action Program, Inc. for Community Based Adolescent Pregnancy Prevention. Ms. Yon thanked the Board for everyone's support over the last five years, allowing her agency to meet with teens at site locations to assist with pregnancy issues in rural Wayne County, to help lower the pregnancy rates through education and council. This December 31, 2010 marks the end of a five year grant that has been used for youth development, abstinence and comprehensive sex education programs.

**PROCLAMATIONS:**

On behalf of the Board, Supervisor Bender presented separate proclamations to both the Marion Black Knights Girls' and Boys' Varsity Soccer Teams for their accomplishments in winning State, County and Regional Championship Titles for 2010.

Supervisor Plant presented a proclamation to the Wayne Central School Girls' High School Volleyball Team for becoming Section V Class BB Volleyball Champions.

Supervisor Kelsch presented a proclamation to the Wayne Central School Cross Country Team for the honors of becoming 2010 NYS Public High School and Sectional Champions for 2010.

On behalf of the Wayne County Board, Supervisor Plant along with Sheriff Barry Virts presented a Certificate of Appreciation to Theodore F. Salisbury for his 29 years of dedicated service to the citizens of Wayne County and the Wayne County Sheriff's Office.

Chairman Hoffman introduced and welcomed Mr. Thomas Crowley and the Newark Government class to today's Board Meeting.

Mrs. Collier, Chairperson of the Government Operation Committee, on behalf of the Board, presented Certificates of Appreciation to Jack Bailey and Richard Clark, Election Commissioners of the Wayne County Board of Elections, for their dedicated service to the citizens of Wayne County.

**PRIVILEGE OF THE FLOOR:**

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

**RESOLUTION NO. 813-10: AUTHORIZATION TO CONTRACT WITH PEER PLACE NETWORKS, LLC FOR DATA COLLECTION AND REPORTING SOFTWARE**

Mrs. Crane 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 \$787, for a total annual subscription fee of \$9,439; 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 \$9,439 for period of January 1, 2011 through December 31, 2011.

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

**RESOLUTION NO. 814-10: AUTHORIZATION TO RENEW 2011 CONTRACT WITH WAYNE COUNTY ARC FOR DEPARTMENT OF AGING AND YOUTH**

Mrs. Crane presented the following:

WHEREAS, Wayne County Department of Aging and Youth Contracts with Association for Retarded Citizens (ARC) to provide respite services in the form of a day camp for disabled children in the amount of \$1,000; 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 2011 in an amount not to exceed \$1,000; 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 for the time period of 01/01/11–12/31/11.

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

**RESOLUTION NO. 815-10: AUTHORIZATION TO RENEW 2011 CONTRACT WITH WAYNE COUNTY ACTION PROGRAM-WCAP FOR DEPARTMENT OF AGING AND YOUTH**

Mrs. Crane presented the following:

WHEREAS, Wayne County Department of Aging and Youth contracts with Wayne CAP in-home for parent education services for the Family and Communities Together (FACT) Program and Respite Services for FACT and Runaway youth; and

WHEREAS, the program budget for these services is not to exceed \$49,000 from January 1, 2011 through December 31, 2011. Funding for these services are 100% reimbursable from the Bullis Foundation 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 the Wayne County Action Program in the amount of \$49,000. The funding is contingent on OCFS 2011 final funding allocations and the approval of the 2011 County Budget. The contract period is January 1, 2011 through December 31, 2011.

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

**RESOLUTION NO. 816-10: AUTHORIZATION FOR 2011 CONTRACT RENEWAL WITH LEGAL ASSISTANCE OF WESTERN NEW YORK, INC. FOR DEPARTMENT OF AGING AND YOUTH**

Mrs. Crane presented the following:

WHEREAS, the Department of Aging and Youth contracts with Monroe County Legal Assistance/ Legal Assistance of the Finger Lakes to provide civil legal services for senior citizen as mandated by the Older American Act Program using Title III B funds; and

WHEREAS, the terms and conditions remain the same with the hourly rate to remain at \$60 per hour, not to exceed \$9,000 annual cost; 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 Monroe County Legal Assistance/Legal

Assistance of the Finger Lakes to provide eligible seniors over sixty legal services for the period of January 1, 2011 through December 31, 2011; and

RESOLVED, that the total payments shall not exceed \$9,000; and be it further

RESOLVED, that the terms and conditions of this contract remain the same. The funding is contingent on NYSOFA 2011 final funding allocations and the approval of the 2011 County Budget.

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

**RESOLUTION NO. 817-10: AUTHORIZATION TO DECLARE VEHICLE SURPLUS FOR DEPARTMENT OF SOCIAL SERVICES AND TRANSFER VEHICLE TO BUILDINGS & GROUNDS**

Mrs. Crane presented the following:

WHEREAS, the following vehicle is no longer suitable for use by the Department of Social Services due to its age and mileage but it could be used elsewhere:

2004 Ford Crown Victoria – 2FAHP71W04X169491; and

WHEREAS, Buildings and Grounds is in need of a vehicle for short distance driving between county buildings; and

WHEREAS, pursuant to vehicle disposition procedure adopted by Resolution No. 128-09, the County Administrator is recommending that the above mentioned vehicle be transferred to Buildings and Grounds; now, therefore, be it

RESOLVED, that the vehicle listed above is hereby transferred to the Buildings and Grounds Department as recommended.

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

**RESOLUTION NO. 818-10: AUTHORIZATION TO CREATE TEMPORARY POSITION AT SOCIAL SERVICES**

Mrs. Crane presented the following:

WHEREAS the Accounting unit is charged with the timely and accurate Application Registrations as well as estate recovery efforts which necessitates close involvement with the Legal and Medicaid Units in order to supply timely information for use in recoveries; and

WHEREAS, the individual in the Account Clerk position in Accounting that performs these duties is presently on medical leave with no expected date of return; and

WHEREAS, this position is required to provide statutorily mandated Benefit Program Registrations; now, therefore be it

RESOLVED, that a temporary position of Account Clerk is hereby created for a period of three months with a possible extension of 3 months, or until the individual on medical leave returns to work.

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

**RESOLUTION NO. 819-10: AUTHORIZE AGREEMENT WITH CENTER FOR DISABILITY RIGHTS WITH THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mrs. Crane presented the following:

WHEREAS, disabled individuals have the right to direct their own care, if so desired; and WHEREAS, the Center for Disability Rights provides the oversight of this service in the Wayne County area; now, therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services

is hereby authorized to sign an Agreement with the Center for Disability Rights, Inc, subject to the approval of the County Attorney, for provision of the Consumer Directed Personal Assistance Program (CDPAP) for the timeframe 1/1/11-12/31/11.

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

**RESOLUTION NO. 820-10: AUTHORIZATION TO AMEND THE SOCIAL SERVICES 2010 BUDGET**

Mrs. Crane presented the following:

WHEREAS, the Department of Social Services has experienced a significant increase in client need for Day Care services; and

WHEREAS, this increased demand has resulted in the increase of the resultant Day Care expenditures; and

WHEREAS, these increased expenditures will exceed the originally budgeted amount; and

WHEREAS, this increase will be fully reimbursed by NY State and will not increase the County cost; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 budget as follows:

**A6055 DAY CARE**

\$122,000 to .43655 Repay - Day Care

\$122,000 to .54000 Contractual Expenses

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

**RESOLUTION NO. 821-10: AUTHORIZATION TO AMEND THE SOCIAL SERVICES 2010 BUDGET**

Mrs. Crane presented the following:

WHEREAS, the Department of Social Services has experienced a significant increase in client need for Safety Net services; and

WHEREAS, this increase in clients will result in expenditures beyond those budgeted in the Safety Net account; and

WHEREAS, client need will exceed the originally budgeted amount in the month of December 2010; now, therefore be it

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 budget as follows:

**A1990 CONTINGENT FUND GEN**

\$25,000 from .54000 Contractual Expenses

**A6140 SAFETY NET**

\$25,000 to .43640 Safety Net

\$50,000 to .54000 Contractual Expenses

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

**RESOLUTION NO. 822-10: AUTHORIZE CONTRACT WITH CATHOLIC CHARITIES OF THE DIOCESE OF ROCHESTER, INC., D/B/A CATHOLIC CHARITIES OF WAYNE COUNTY (CCWC) FOR SUPERVISED VISITATION SERVICES**

Mrs. Crane presented the following:

WHEREAS, as part of a DSS Child Welfare case plan there is a need for Supervised

Visitation services to families; and

WHEREAS, there is a need for services which are designed to increase opportunities for meaningful interaction between parents and their non-custodial children; and

WHEREAS, there is a need to provide parent training which involves individual coaching, group interaction and other educational approaches which increase parents' knowledge, skills and enhances the security of children; and

WHEREAS, Wayne County has available Flexible Funds for Family Services; and

WHEREAS, CCWC has a lengthy history of providing specialized, quality services to children and families in Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract on behalf of the Wayne County Department of Social Services, subject to the County Attorney's review as to form and content, with Catholic Charities of the Diocese of Rochester, Inc., d/b/a Catholic Charities of Wayne County for the provision of Supervised Visitation services during 1/1/11 – 12/31/11 timeframe at a cost not to exceed \$50,000; and be it further

RESOLVED, that there are no county monies in the cost of this contract.

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

**RESOLUTION NO. 823-10: AUTHORIZE CONTRACT WITH FINGER LAKES ADDICTIONS COUNSELING AND REFERRAL AGENCY, INC. (FLACRA) FOR CO-LOCATED ALCOHOL AND OTHER DRUG (AOD) SERVICES**

Mrs. Crane presented the following:

WHEREAS, the Child Welfare caseload often includes families with alcohol and/or other drug problems; and

WHEREAS, there is need to continue AOD services; and

WHEREAS, NYS Office of Children and Family Services is without funds to continue AOD services; and

WHEREAS, Wayne County DSS has available Flexible Funds for Family Services; and

WHEREAS, AOD services are expected to help stabilize families who will then be able to properly care for their children; and

WHEREAS, AOD services will help prevent out of the home placements of children and/or promote the earlier return of children to their families from foster care placement; and

WHEREAS, FLACRA has experience and expertise in these areas; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract on behalf of the Wayne County Department of Social Services, subject to the County Attorney's review as to form and content, with Finger Lakes Addictions Counseling and Referral Agency, Inc. for the provision of Alcohol and Other Drug services during 1/1/11 – 12/31/11 timeframe at a cost not to exceed \$75,848; and be it further

RESOLVED, that there are no county monies included in the cost of this contract.

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

**RESOLUTION NO. 824-10: REQUEST FOR PROPOSAL FOR MEDICAID TRANSPORTATION SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES**

Mrs. Crane presented the following:

WHEREAS, Wayne County is charged with providing and/or arranging for transportation services to Medicaid clients; and

WHEREAS, the Commissioner of the Department of Social Services is specifically charged

with guaranteeing that these services are provided at the least cost to the Medicaid Program;  
and

WHEREAS, Wayne County Department of Social Services is interested in engaging the services of a Medicaid Transportation Broker to make needed arrangements for Medicaid clients; and

WHEREAS, the most appropriate vehicle to obtain these services is through a Request for Proposals; and

WHEREAS, the cost for these services will be borne 100% by the New York State Medicaid Program; now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to create and disseminate, subject to the review of the County Attorney, a Request for Proposals for brokering Medicaid Transportation for Medicaid eligible clients.

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

**RESOLUTION NO. 825-10: AUTHORIZATION FOR WAYNE COUNTY WORKFORCE DEVELOPMENT (WCWFD) TO ENTER INTO A CONTRACT WITH LYONS CENTRAL SCHOOL DISTRICT /WAYNE FINGER LAKES BOARD OF COOPERATIVE EDUCATIONAL SERVICES (BOCES) INCARCERATED EDUCATION PROGRAM**

Mrs. Crane presented the following:

WHEREAS, the WCWFD is desirous of entering into a contract with Lyons Central School District /WFL BOCES Incarcerated Education Program to provide service; and

WHEREAS, the service will provide appropriate youth and adults that are in jail (ages 16 – 24) a full array of job readiness and transitional services necessary for them to move into employment and self sufficiency, for the time period of January 3, 2011 to December 31, 2011; and

WHEREAS, the goal of the service is to lower the recidivism rate for individuals who currently cause a higher cost and greater stress on services in the community; and

WHEREAS, these services will continue at the WCWFD office to those individuals who leave incarceration; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract for the period January 3, 2011 to December 31, 2011 in the amount of \$7,500, subject to the County Attorney's approval, with Lyons Central School District /WFL BOCES Incarcerated Educational Program for the provision of services by the Wayne County Workforce Development Department.

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

**RESOLUTION NO. 826-10: AUTHORIZATION TO REFUND NEW YORK STATE FOR OVERPAYMENTS TO THE MENTAL HEALTH DEPARTMENT**

Ms. Park presented the following:

WHEREAS, the Mental Health Department in the course of its regular daily business engages in a variety of medical procedures, which are billed to the client's insurance company for reimbursement to the department/county; and

WHEREAS, New York State provides the department/county with an enhanced revenue add-on rate (COPS & CSP) for certain individuals, however there is a limitation as to the total dollar amount that can be earned in any given year; and

WHEREAS, once the department exceeds that annual dollar amount threshold, any payment overage as a result of the States continued payment despite the threshold limit being

reached, must be refunded to New York State upon receipt of notice of their multi-year fiscal closeout audit process; and

WHEREAS, the departments excess revenues over the past several years have been retained in the county's general fund with the knowledge that some portion of these excess revenues would need to be refunded at some point to New York State; and

WHEREAS the department concurs with the States findings; now therefore be it

RESOLVED, that the Wayne County Treasurer is hereby authorized to transfer \$440,713.27 from the Fund Balance of the General Fund to:

**A4300 Behavioral Health**, 54618 Reimb Prior Yr Revenues-MH and be it further

RESOLVED, that the Director of Mental Health is authorized to initiate the repayment of \$440,713.27 to New York State and that the Wayne County Treasurer is authorized to make this payment prior to the next monthly audit in order to meet required deadlines established by the state.

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

**RESOLUTION NO. 827-10: AUTHORIZATION TO SET SALARY FOR STAFF PSYCHIATRIST POSITION FOR THE WAYNE COUNTY DEPARTMENT OF MENTAL HEALTH**

Ms. Park presented the following:

WHEREAS, an individual who currently holds the position of Staff Psychiatrist, a confidential-management position, will be retiring in early February in the Wayne County Department of Mental Health; and

WHEREAS, the County Administrator and Mental Health Director anticipate authorizing the advertising and refilling of the position effective February 3, 2011; and

WHEREAS, no formal classification or salary schedule exists for management and confidential employees; and

WHEREAS, the County anticipates developing such a schedule in the future; and

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

WHEREAS, the Director and County Administrator has recommended a starting salary for this position consistent with the 2010 approved budget and the 2011 proposed budget; and

WHEREAS, the department need and ability to recruit for and fill the position is essential at this time in order to make a timely transition; now, therefore, be it

RESOLVED, that the salary for the impending vacant Staff Psychiatrist position is hereby established up to \$179,900 per year.

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

**RESOLUTION NO. 828-10: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO ESTABLISH NEW PHYSICIAN POSITION**

Ms. Park presented the following:

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

WHEREAS, in August 2010 the Board authorized the creation of a variety of new positions for the Mental Health Department via Resolution 543-10 in response to IRS

regulatory issues; and

WHEREAS, one such position included a confidential and management position of a Physician Part time at an hourly rate of \$110/hour; and

WHEREAS, in order to better meet program needs and maintain adequate staff coverage and program flexibility and will maximize revenues, the department would like to utilize this same position and split it with two individuals for the same number of total authorized hours; and

and WHEREAS, this function remains essential to the operations of the department and will not result in any additional costs and will operate within the existing budget allowances; now, therefore, be it

RESOLVED, that the Mental Health Department is authorized to add one additional Physician-Part time, Management & Confidential Position at the rate of \$110 per hour.

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

**RESOLUTION NO. 829-10: AUTHORIZATION TO AMEND THE 2010 BUDGET FOR THE MENTAL HEALTH DEPARTMENT COMMUNITY PROVIDERS**

Ms. Park presented the following:

WHEREAS, based upon revisions to the State Aid funding awards from prior years being paid out in 2010 for various community mental hygiene service providers, the Mental Health Department is in need of amending the 2010 budget to reflect those funding revisions which involve the following providers, and do not have any impact on county related costs:

**A43224 Community Providers**

54604	FLACRA	from \$1,176,890 to \$1,211,891
54609	Wayne ARC - MH	from \$12,491 to \$17,440
54631	Epilepsy Association	from \$3,069 to \$4,527
54690	Council on Alcoholism FL	from \$185,960 to \$214,010

now, therefore be it

RESOLVED, that the Chairman of the Board is authorized as necessary to amend the county contracts with the above noted providers subject to the County Attorneys review as to form and content; and be it further

RESOLVED, that the County Treasurer is directed to amend the 2010 County Budget as follows:

**A4322-COMMUNITY PROVIDERS:**

\$ 4,949.00	to .43478	ARC-MH
\$ 1,458.00	to .43488	Epilepsy Assoc.
\$ 35,001.00	to .43499	FLACRA
\$ 28,050.00	to .43522	Council on ALC
\$ 4,949.00	to .54609	ARC-MH
\$ 35,001.00	to .54604	FLACRA
\$ 1,458.00	to .54631	Epilepsy Assoc.
\$ 28,050.00	to .54690	Council on ALC

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

**RESOLUTION NO. 830-10: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO ABOLISH AN ADDICTION THERAPIST POSITION AND CREATE A STAFF SOCIAL WORKER POSITION**

Ms. Park presented the following:

WHEREAS, the Mental Health Department currently has a vacant Addictions therapist position which we have been unable to adequately recruit for and fill; and

WHEREAS, due to recent changes in program needs combined with changing recruitment opportunities, the Director of Mental Health would now like to abolish a previously authorized Addictions Therapist position and now create a Staff Social Worker position, and by doing so this will expand the potential pool of qualified applicants which will better facilitate the recruitment process to fill this vacancy and ultimately better meet program needs; now, therefore, be it

RESOLVED, that the Mental Health Department is hereby authorized to abolish one Addiction Therapist position and to create one Staff Social Worker position.

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

**RESOLUTION NO. 831-10: AUTHORIZING DAILY RATE INCREASE AT THE WAYNE COUNTY NURSING HOME EFFECTIVE FEBRUARY 1, 2011**

Ms. Park presented the following:

WHEREAS, due to increase in overhead expenses, the Wayne County Nursing Home must increase the room rates; now, therefore, be it

RESOLVED, that the Administrator of the Wayne County Nursing Home is hereby authorized to increase the daily rate effective February 1, 2011 (inclusive of cash receipts assessment tax):

Semi-Private Room from \$300 to \$310

Private Room from \$310 to \$320

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

**RESOLUTION NO. 832-10: AUTHORIZATION TO PAY OUT OF TITLE COMPENSATION FOR CHERYL ACOME AS ACTING DIRECTOR OF NURSING**

Ms. Park presented the following:

WHEREAS, the former Director of Nursing of the Wayne County Nursing Home resigned the position effective November 26, 2010; and

WHEREAS, Cheryl Acome has been assigned the duties and responsibilities of the Director of Nursing; and

WHEREAS, the responsibilities and the corresponding salary for the Director of Nursing are far greater than that of Assistant Director of Nursing; now, therefore, be it

RESOLVED, Cheryl Acome will receive an out of title compensation effective November 29, 2010 while she will serving as acting Director of Nursing at the Wayne County Nursing Home at a rate based on annual salary of \$65,000 until the position of Director of Nursing is filled.

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

**RESOLUTION NO. 833-10: AUTHORIZATION TO CREATE TEMPORARY LICENSED PRACTICAL NURSE POSITION**

Ms. Park presented the following:

WHEREAS, there are currently 4 full time LPNs out on disability and off the payroll; and

WHEREAS, these absences create a staffing problem and overtime is required to ensure adequate staffing; now, be it further

RESOLVED, that the Wayne County Nursing Home can create and fill one (1) temporary LPN position to meet the staffing needs.

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

**RESOLUTION NO. 834-10: AUTHORIZATION TO WRITE OFF UN-COLLECTABLE ACCOUNTS FOR THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home has an allowance for Uncollectible Accounts; and

WHEREAS, after thorough review and collection efforts there is a remaining balance on 26 accounts for the year end 2009; and

WHEREAS, the Wayne County Nursing Home has determined that the twenty-six (26) accounts with remaining balances are uncollectible from any payer source; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Wayne County Nursing Home to write off said twenty-six (26) accounts totaling \$310,462.

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

**RESOLUTION NO. 835-10: AUTHORIZATION FOR WAYNE COUNTY NURSING HOME TO CONTRACT WITH WORLD WIDE DICTATION**

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home produces a lot of dictation from medical professionals and then transcribed; and

WHEREAS, the dictation volume is anticipated to increase in the next few months exceeding our current resource capacity to produce the transcribed reports required in a timely manner; and

WHEREAS, contracting with this service will be the most cost effective strategy to address the increase in work volume; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home and Chairman of the Board of Supervisors is authorized to contract with World Wide Dictation from January 1, 2011 to December 31, 2011 at a rate of .07 cents per line.

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

**RESOLUTION NO. 836-10: AUTHORIZING CONTRACT FOR PHARMACIST CONSULTING SERVICES WITH HEALTH DIRECT PHARMACY SERVICES AT THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home contracts pharmacist consulting services for its residents; and

WHEREAS, the contract for pharmacist consulting services with Health Direct expires on December 31, 2010; and

WHEREAS, the Board of Supervisors have duly advertised for quotes for pharmacist consulting services for the Wayne County Nursing Home; and

WHEREAS, the one quote received for the Consulting Services was from Health Direct Pharmacy Services as follows:

For the year:	1/1/11 – 12/31/12	\$55/hr	Maximum per month	\$1200.00
	1/1/13 – 12/31/13	\$58/hr	Maximum per month	\$1230.00
	1/1/14 – 12/31/14	\$61/hr	Maximum per month	\$1300.00
	1/1/15 – 12/31/15	\$63/hr	Maximum per month	\$1340.00

WHEREAS, upon review of the quote by the County Attorney and Nursing Home and County Administration it is recommended that the quote for the pharmacist consulting services be awarded to Health Direct; and Now therefore be it

RESOLVED, that the contract for pharmacist consulting services be awarded to Health Direct Pharmacy Services pursuant to the quote submission and that the Chairman of the Board of Supervisors is authorized to execute a contract on behalf of the Wayne County Nursing Home, with Health Direct Pharmacy Services for the provision of pharmacist consulting services for the period beginning January 1, 2011 through December 31, 2015. Contract is subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 837-10: AUTHORIZE AGREEMENT WITH MEDLINE AND NHQ ABAQIS QUALITY ASSURANCE PROGRAM**

Ms. Park presented the following:

WHEREAS, Medline is a supplier of medical-surgical, durable medical, textile, wound care and other medical supply products for long-term care residents; and

WHEREAS, the Wayne County Nursing Home intends to enter into a corporate program relationship with Medline, including the license of the Nursing Home Quality (NHQ) Abaqis quality assurance program; now therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the agreement effective January 1, 2011 to renew automatically for successive one year periods until terminated by the county and the Wayne County Nursing Home will be entitled to license Abaqis and receive Abaqis products and services based on the following terms and conditions:

Abaqis monthly subscription – standard invoicing at \$210 /month

Complete set-up package (stage 1 set-up and 1-Day Basic, plus 2-Day Practicum at cost of \$4,750

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

**RESOLUTION NO. 838-10: AUTHORIZATION TO AMEND RES. NO. 257-09 AUTHORIZING CONTRACTS WITH PROVIDERS OF RELATED SERVICES FOR PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS TO ADD SERVICE PROVIDER**

Ms. Park presented the following:

WHEREAS, Resolution 257-09 authorized contracts with providers of related services for preschool children with handicapping conditions for the period of 7/1/09 to 6/30/11; and

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

WHEREAS, the Sign Language Connection, Inc has received New York State Department of Health approval to provide preschool related services for sign language instruction at \$53 / hour starting December 1, 2010 to June 30, 2011; now, therefore, be it

RESOLVED, Resolution No. 257-09 is hereby amended to authorize the Chairman of the Board of Supervisors to contract with the Sign Language Connection, Inc, 3136 Winton Road South, Suite 304, Rochester, NY 14623, as a Related Service provider for the Children with Handicapping Conditions, to provide sign language instruction at a rate of \$53 / hour, starting December 1, 2010 to June 30, 2011, with the approval of the County Attorney as to form and content.

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

adopted.

**RESOLUTION NO. 839-10: AUTHORIZATION TO EXECUTE AGREEMENT WITH NTS DATA SERVICES FOR MAINTENANCE AND SUPPORT SERVICES FOR BOARD OF ELECTIONS**

Mrs. Collier presented the following:

WHEREAS, the Board of Elections requires data services to perform its required functions under election law and has previously contracted with NTS to supply these services; and

WHEREAS, the current five year contract expires at the end of 2010 and a new contract is required; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the agreement, subject to the County Attorney's approval to form and content, for a new five year contract for the period January 1, 2011 to December 31, 2010 for a total cost of \$101,544.00, with a payment of \$20,308.80 per year for five years.

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

**RESOLUTION NO. 840-10: AUTHORIZATION FOR THE WAYNE COUNTY BOARD OF SUPERVISORS TO MAKE ONE-TIME PAYMENT TO BOARD OF ELECTIONS DEPUTIES FOR LEAVE TIME AND TO AMEND BUDGET**

Mrs. Collier presented the following:

WHEREAS, the Wayne County Board of Elections has been under a strict timeline to implement the new optical scan Voting system for the county in 2010; and

WHEREAS, the Deputy Commissioners have had to expend many additional hours in 2010 for preparing inspector schooling, ballot configuration, inspector assignments, etc., in addition to their normal duties; and

WHEREAS, the General Election of 2010 resulted in increased hours due to court orders requiring special counting, recording and reporting of the 25<sup>th</sup> Congressional race; and

WHEREAS, the Deputies continued to accrue leave time which could not be utilized due to these extra ordinary demands and circumstances; and

WHEREAS, the Board of Elections other staff is composed of only 2 full-time clerks and 2 part-time Commissioners and the utilization of leave time on the part of the Deputies would have severely impacted the performance and operation of the Board of Elections at a critical time; and

WHEREAS, the Deputy Commissioners cannot utilize such extra leave time between now and the end of the year, December 31, 2010 due to certification of the election and end of the year reports required to be filed and

WHEREAS, sufficient funds exist within the Board of Elections 2010 budget to make these payments and to absorb the recent payment of overtime required due to the extended work hours necessary associated with the General Election; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes to grant a one-time exception in this situation to authorize the payment for that leave time that Deputy Commissioners: Joyce Krebbeks (79 hours - \$1,757.41) and Kelley Borrelli (46 hours - \$1,023.30) would normally not be able to carry over above the normal 210 hours to next year, 2011; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 Wayne County Budget as follows:

**A1450 Board of Elections**

\$7,000 from .51665 Voting Machine Tech

\$5,200 to .51068 Deputy Election Commissioner  
\$450 to .58200 Payments to Social Security  
\$700 to .58100 Payments to NYS Retirement  
\$650 to .51128 Election Clerk

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

**RESOLUTION NO. 841-10: AUTHORIZATION TO PURCHASE EQUIPMENT FOR THE WAYNE COUNTY ATTORNEY'S OFFICE**

Mrs. Collier presented the following:

WHEREAS, the chair used by Assistant County Attorney, Daniel Connors has broken and its effectively irreparable; and

WHEREAS, there are funds within the current budget total sufficient to fund this purchase; now therefore be it

RESOLVED, that the County Attorney's Office may purchase a new chair pursuant to state bid # PC63361 from Caitlin Office Interiors & Design Inc. in an amount not to exceed \$316.00; and be it further

RESOLVED, that the County Treasurer is directed to amend the 2010 County Budget as follows:

A1420-County Attorney:

\$316.00 from .54485 Travel

\$316.00 into .52200 Office Equipment

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

**RESOLUTION NO. 842-10: ADOPTING 2011 SALARY SCHEDULE FOR ELECTED OFFICIALS BEGINNING TERM ON JANUARY 1, 2011**

Mrs. Collier presented the following:

WHEREAS, the Government Operations Committee has recommended 2011 Salaries for County Officers and Department Heads; and

WHEREAS, certain elected officials will be beginning a new term of office on January 1, 2011 and it is necessary to set their salaries prior to them taking office; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby adopts the following schedule for certain elected county officers for the year 2011 effective January 1, 2011:

<u>Title</u>	<u>2011</u>
County Treasurer	\$70,305

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

**RESOLUTION NO. 843-10: ADOPTING 2011 SALARY SCHEDULE FOR ELECTED AND APPOINTED OFFICIALS BEGINNING TERM ON JANUARY 1, 2011**

Mrs. Collier presented the following:

WHEREAS, the Government Operations Committee has recommended 2011 Salaries for County Officers and Department Heads; and

WHEREAS, certain elected and appointed officials will be beginning a new term of office on January 1, 2011 and it is necessary to set their salaries prior to them taking office; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby adopts the following

schedule for certain elected and appointed county officers for the year 2011 effective January 1, 2011:

<u>Title</u>	<u>2011</u>	
Elections Commissioner		\$11,075
Elections Commissioner		\$11,075

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

At this time, Chairman Hoffman took the opportunity to acknowledge two senior members of the Board for recently celebrating their birthdays – Supervisors Lucinda Collier and Robert Kelsch.

**RESOLUTION NO. 844-10: 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, 2010; 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 1/1/11 - 12/31/11 under the same terms and conditions contained in the current contract.

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

**RESOLUTION NO. 845-10: REAPPOINTMENT TO THE WESTERN FINGER LAKES SOLID WASTE MANAGEMENT AUTHORITY**

Mr. Spickerman presented the following:

RESOLVED that the following person is reappointed to the Western Finger Lakes Solid Waste Management Authority for a term of office effective January 1, 2011 and expiring December 31, 2013:

Ron Cody  
6166 Lillypond Way  
Ontario, New York 14519

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

**RESOLUTION NO. 846-10: AUTHORIZE ANNUAL PAYMENT TO WESTERN FINGER LAKES SOLID WASTE AUTHORITY**

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne has appropriated the sum of \$555,500 as its share of the 2011 operating funds of the Western Finger Lakes Solid Waste Management Authority; now, therefore, be it

RESOLVED, that the payments shall be made in bi-monthly installments of \$89,916 each and the first payment shall be made in January of 2011; and be it further

RESOLVED, that funds will be used to support the following ongoing operations:

Curbside Recycling Collection Program	\$8,538
Materials Recovery Center	\$274,183
General Administration	\$256,779

and be it further

RESOLVED, that the annual cost of the recycling Public Education program is \$56,955 and that amount is included within the General Administration operational budget above; and

RESOLVED, that the Authority will also provide the following specific program for the residents of Wayne County and the Authority will request payment for this program as expenses are incurred:

Household Hazardous Waste Cleanup Day \$16,000.

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

**RESOLUTION NO. 847-10: SUPPORT SENECA COUNTY'S APPLICATION TO THE COMMUNITY DEVELOPMENT BLOCK GRANT INNOVATIVE PROJECTS PROGRAM FOR ON-THE-JOB TRAINING FUNDS, AND AUTHORIZATION TO ADVERTISE FOR PUBLIC HEARINGS**

Mr. Spickerman presented the following:

WHEREAS, Seneca County intends to apply to the New York State Homes and Community Renewal (NYS HCR) Community Development Block Grant Innovative Projects Program for on-the-Job Training funds on behalf of Ontario, Seneca, Wayne, and Yates Counties; now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors supports Seneca County's application; and be it further

RESOLVED, the Wayne County Board of Supervisors supports Seneca County as the Lead Agency for the application's environmental review under New York State Conservation Law Part 617, article 8; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes advertisement in the official Wayne County newspapers of the two required Public Hearings to be held on **Tuesday, February 22, 2011 at 8:00 P.M. and on Tuesday, March 8, 2011 at 8. P.M.**, both hearings to be held at the Board of Supervisors Conference Room at the Seneca County Office Building at One DiPronio Drive, Waterloo, New York; and be it further

RESOLVED, that the Clerk of the Board is hereby authorized and directed to advertise for said public hearing.

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

Chairman Hoffman along with Public Safety Committee Chairman, Robert Plant, addressed the full board for this opportunity to acknowledge Ronald C. Valentine, Wayne County Public Defender for his 41 years of dedicated service to the citizens of Wayne County.

Former Board Chairmen, Marvin E. Decker and Donald G. Colvin, joined the Board in congratulating Mr. Valentine on his upcoming retirement.

Chairman Hoffman requested the Board to take a short recess at 10:05 a.m.

The Board resumed regular session at 10:25 a.m.

Supervisor Bender left the Board Meeting at 10:25 a.m.

**RESOLUTION NO. 848-10: AUTHORIZATION TO CONTRACT WITH M/E ENGINEERING,P.C.**

Mr. LeRoy presented the following:

WHEREAS, The boiler room in the County Courthouse has been cited by NYS Codes as being altered and not in compliance with original design specifications; and

WHEREAS, The County has determined that at this time it is not cost effective to replace the boiler that was damaged during a power outage, and return the boiler room to the original design; and

WHEREAS, M/E Engineering, PC has provided a proposal for the purposes of reviewing the boiler room in it's current condition and prepare a set of plans and specifications to submit to the NYS Codes Division to bring it up to the current code standards; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with M/E Engineering, PC for the services described in the amount of \$4,400.00 subject to the approval of the County Attorney as to form and content.

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

**RESOLUTION NO. 849-10: AUTHORIZATION TO RENEW PARKING LOT LEASE AGREEMENT WITH NYSEG**

Mr. LeRoy presented the following:

WHEREAS, as the lease with NYSEG for parking in their lot located between Williams Street and Geneva Street expires on December 31<sup>st</sup>, 2010; and

WHEREAS, the fee for said lease has remained at \$3,500.00; now, therefore, be it RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the lease agreement for parking as provided by NYSEG subject to review and approval of the County Attorney; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is authorized to pay said bill in January from the 2011 Budget line item A16154.54437.

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

**RESOLUTION NO. 850-10: AUTHORIZATION TO DECLARE OFFICE EQUIPMENT SURPLUS FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT**

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department has (2) monitors and (2) computers no longer needed and (1) typewriter, which correction tape and ribbon are no longer available; and

WHEREAS, the Wayne County Highway Superintendent wishes to declare the following equipment surplus:

Envision Monitor - SN 14542JA013767

IBM Monitor – SN 231223A

Dell GX150 – SN 00019-053-452-082

Dell GX240 – SN 00019-095-553-319

IBM Electric Typewriter – SN 3684888

now, therefore be it

RESOLVED, that the Wayne County Highway Superintendent is hereby authorized to declare this equipment surplus; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to dispose the equipment in accordance with county policy and procedure.

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

**RESOLUTION NO. 851-10: AUTHORIZATION TO ACCEPT LOW BID FOR STUMP GRINDING FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT**

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for stump grinding for the Highway Department and the bids were open on Monday, December 6, 2010 at 1:00 p.m. and the following bids were received:

- Empire Tree Surgeons \$ 8,800.00
- Crane's Tree Service \$ 9,620.00
- Aaron Preston Tree Service \$ 9,040.32

RESOLVED, that the bid submitted by Empire Tree Surgeons of Newark, New York in the amount of \$8,800.00 in accordance with specifications, is hereby accepted; and be it further

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

Mr. Groat moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, all Supervisors voted Aye, except Supervisor Crane who Abstained from voting. Absent – Supervisor Bender. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 852-10: AUTHORIZATION TO ACCEPT LOW BID(S) FOR TREE REMOVAL FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT**

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bid(s) for tree removal for the Highway Department, and the bids were opened Monday, December 6, 2010 at 1:00 p.m. and the following bids were received:

- Empire Tree Surgeons \$ 14,400
- Crane's Tree Service \$ 10,450
- Aaron Preston Tree Service \$ 63,640

RESOLVED, that the bid submitted by Crane Tree Service of Wolcott, New York in the amount of \$10,450 in accordance with the specifications that include the county crew to assist in providing clean-up and hauling service, 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 Crane Tree Service in accordance with the bid acceptance.

Mr. Spickerman moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, all Supervisors voted Aye, except Supervisor Crane who Abstained from voting. Absent – Supervisor Bender. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 853-10: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH FISHER ASSOCIATES FOR THE CREAGER ISLAND BRIDGE PROJECT**

Mr. LeRoy presented the following:

WHEREAS, the Creager Island Bridge project is funded with 100% Federal money; and

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

WHEREAS, the NYSDOT has approved this work as an eligible expense to be included in the project; and

WHEREAS, the project budget currently has enough funds to include the additional cost of \$75,358 for the construction inspection services, now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Fisher Associates Engineers for the costs associated with the additional right-of-way services and the construction inspection tasks for the Creager Island Bridge Project.

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

**RESOLUTION NO. 854-10: AUTHORIZATION TO ENTER AGREEMENT WITH MOHAWK VALLEY COMMUNITY COLLEGE FOR WELDING TRAINING FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT**

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department performs welding tasks in the maintenance shop and on county owned bridges; and

WHEREAS, most of the employees performing welding tasks at the Highway Department have no formal training and none are certified; and

WHEREAS, the NYSDOT requires that any person making welding repairs to State owned bridges or Federally Funded locally owned bridges be certified; and

WHEREAS, Mohawk Valley Community College can provide in our shop a one week (40 hrs.) training session for \$4,340 for 6 students 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 Mohawk Valley Community College for welding training for the Wayne County Highway Department not to exceed a cost of \$4,340.00 and paid from Account DM51304.54483.

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

**RESOLUTION NO. 855-10: AUTHORIZATION TO TRANSFER FUNDS AND CLOSE COMPLETED 2010 PROJECTS FOR THE HIGHWAY DEPARTMENT**

Mr. LeRoy presented the following:

WHEREAS, various Highway projects have been completed in 2010 and final payments processed; and

WHEREAS, balances in budgeted projects may be reallocated to other project; now, therefore, be it

RESOLVED, that the County Treasure is hereby authorized and directed to transfer funds as listed below:

**D5112-ROAD CONSTRUCTION:**

\$25,121.75 from .52628 Ridge Rd Shoulder Project

\$17,563.84 from .52633 Minstead Rd Project

\$94,755.99 from .52632 Knickerbocker Rd. Project

\$56,241.12 to .52630 Erie St. Culvert Project

\$29,094.34 to .52631 Misc Drainage Culvert Project

\$40,924.43 to .52634 Misc Nova CHIP Paving Project

\$11,181.69 to .52636 Smith Rd Culvert Project; and be it further

RESOLVED that the following highway construction projects within Account D51122 Road Construction having a zero balances are hereby closed:

**D5112-ROAD CONSTRUCTION:**

.52628 Ridge Road Shoulder Project  
.52633 Minsted Road Project  
.52630 Erie St. Culvert Project  
.52631 Misc. Drainage Culvert Project  
.52634 Misc. Nova CHIP Paving Project  
.52636 Smith Rd. Culvert Project

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

**RESOLUTION NO. 856-10: AUTHORIZATION TO ADVERTISE FOR BID FOR THE ALDERMAN ROAD BRIDGE REPLACEMENT PROJECT**

Mr. LeRoy presented the following:

WHEREAS, the design and right-of-way acquisition on the Alderman Road Bridge Project (D51122.52905), has been completed and submitted to the NYSDOT for funding authorization; and

and WHEREAS, the project must be advertised for competitive bid in accordance with Federal regulations; now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bid for the 80% Federal, 15% State, and 5% locally funded project, in accordance with specifications prepared by the design consultant and approved by the NYSDOT and the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the Clerk of the Board 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.

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

**RESOLUTION NO. 857-10: TRANSFER OF FUNDS FOR THE HIGHWAY DEPARTMENT FOR ADMINISTRATION ACCOUNT**

Mr. LeRoy presented the following:

WHEREAS, the Administration account in the Highway Department will expend more than the budgeted funds due to sick time buyout, insurance incentive and overtime costs; now, therefore, be it

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

**D5010-HIGHWAY ADMINISTRATION:**

\$2,597.00 from .58400 Hospitalization  
\$1,084.00 to .51095 Superintendent of Highways  
\$30.00 to .51151 Acct. Clerk-Typist  
\$1,483.00 to .51904 Overtime

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

**RESOLUTION NO. 858-10: AUTHORIZATION TO AMEND AGREEMENT WITH WATS AND RGRTA**

Mr. LeRoy presented the following:

WHEREAS, Wayne County Central Garage performs maintenance and repair work on

the Wayne Area Transportation Service (WATS)/ Rochester-Genesee Regional Transportation Authority (RGRTA) vehicles and charges a set hourly rate for this work; and

WHEREAS, WATS/RGRTA has requested that some amendments be made to the current contract in regards to having all repairs reviewed by another County representative; now, therefore, be it

RESOLVED, that the Wayne County Attorney and is authorized to review and amend the current agreement with WATS/RGRTA; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the amended agreement with WATS/RGRTA.

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

**RESOLUTION NO. 859-10: AUTHORIZATION TO RENEW CONTRACT BETWEEN COUNTY OF WAYNE AND MICHAEL SHEEHE, COORDINATOR OF EDUCATION 1/1/11-12/31/11**

Mr. Plant 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 1/01/11-12/31/11 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, November, 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 \$1,000.

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.

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

**RESOLUTION NO. 860-10: AUTHORIZATION TO RENEW CONTRACT WITH FLACRA FOR 2011 FOR WAYNE COUNTY STOP DWI**

Mr. Plant presented the following:

RESOLVED, that 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 1/1/11-12/31/11 in the amount of \$15,000.

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

**RESOLUTION NO. 861-10: AUTHORIZATION FOR COMMUNICATIONS TOWER IMPROVEMENTS, GENERATOR PURCHASE, AND LEASE AGREEMENT EXECUTION**

Mr. Plant presented the following:

WHEREAS, Wayne County 911 has identified a communications tower in the Village of Sodus, located on property owned by the Village of Sodus and leased to the Saint Lawrence Seaway Authority, which could be utilized by the County as a receive site for the County public safety radio system upgrade project; and

WHEREAS, the Fred Nudd Corporation has completed a structural analysis of the tower, has found it to not meet the current applicable tower design standard, ANSI/TIA 222-G, and has further developed a proprietary engineering design to reinforce the existing communications tower to allow for installation of the County's equipment, and to meet the above referenced design standard for the tower, at an upgrade cost of \$28,553; and

WHEREAS, the two other prevalent communications tower construction companies in the area have declined to provide pricing on the specialized upgrade unless the County were to provide design plans, with generation of such plans not funded; and

WHEREAS, the Saint Lawrence Seaway Authority has expressed an interest into entering into a lease agreement with the County, at no recurring cost to the County, provided that structural upgrades are made to the tower, and a back-up power generator is purchased at County expense; and

WHEREAS, New York State purchasing contract pricing received for the purchase of a 10KW generator, and automatic transfer switch from Generac is \$2697.00; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a lease agreement with the Saint Lawrence Seaway Authority for use of both the communications tower and the adjacent shelter, for an initial lease term of not less than five (5) years, with not less than one renewal term of five years thereafter, at a monthly rent of zero dollars (\$0), with such lease agreement subject to the approval of the County Attorney as to form and content; and be it further

RESOLVED, that the above referenced communications tower proprietary structural upgrades by the Fred Nudd Corporation shall be authorized, at a cost not to exceed \$28,553; and be it further

RESOLVED, that the purchase of the above referenced propane powered generator and transfer switch shall be authorized, as per New York State purchasing contract, at a cost not to exceed \$2697.00, through New York SitePower Corporation, with said generator and transfer switch to be installed by Seaway Authority personnel, at no installation cost to the County; and be it further

RESOLVED, that the purchase and installation of a 330 gallon used propane tank to fuel the generator shall be authorized from E&V Energy of Wolcott, NY, at a cost not to exceed \$650.00.

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

**RESOLUTION NO. 862-10: AUTHORIZATION TO PURCHASE MISCELLANEOUS EQUIPMENT FOR THE INTEROPERABLE COMMUNICATIONS PROJECT**

Mr. Plant presented the following:

WHEREAS, certain interoperable communications project equipment not previously purchased needs to be ordered to accomplish the goals of the radio project; now, therefore, be it

RESOLVED, that the 911 Coordinator shall be authorized to purchase the following

equipment items from the listed sources:

- 3- Motorola XTL1500 mobile radios at a NY State contract price of \$1384 each, to be purchased from Motorola through Finger Lakes Communication, as the local purchasing source
- 68- Motorola speaker / microphones at a NY State contract price of \$66.75 each, to be purchased from Motorola through Finger Lakes Communication, as the local purchasing source
- 4- Liebert rack mount 2200 VA uninterruptible power supplies, model PS2200RT3-120XR, at a cost of \$1040.38 each, to be purchased through the sole source New York contract vendor CDW-G
- 5- Liebert rack mount 1000 VA uninterruptible power supplies, model PS1000RT3-120, at a cost of \$455.85 each, to be purchased through the sole source New York contract vendor CDW-G
- Various simulcast radio system spare equipment from Finger Lakes Communication:

1- Harris Master Sync Module	\$5183.52
1- Harris Slave Module	5183.52
1- Harris Sync Adapter	359.55
1- Harris Interface Adapter	750.00

for a total equipment purchase cost not to exceed \$58,513, with shipping costs for the power supplies not to exceed \$200, for a total purchase price not to exceed \$58,713.00.

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

**RESOLUTION NO. 863-10: AUTHORIZATION FOR TOWER AND SITE WORK RELATED TO THE USE OF THE ONTARIO FIRE DISTRICT COMMUNICATIONS TOWER**

Mr. Plant presented the following:

WHEREAS, pursuant to Board of Supervisors resolution 29-10, the County of Wayne is entering into an agreement with the Ontario Fire District #1, which will allow for County use of the Ontario Fire District communications tower as a remote receive site for the 911 radio interoperability project; and

WHEREAS, The Ontario Fire District has agreed that the County may have use of the site with no ongoing monthly rent, provided that the County funds certain antenna, line and gate boom reconfiguration and connection work that is needed to allow both the County and the Ontario Fire District to use the site; and

WHEREAS, prior agreements between the Ontario Fire District and the Fred Nudd Corporation, the manufacturer of the communications tower, specify that all work on the tower shall be accomplished exclusively by the Fred Nudd Corporation; and

WHEREAS, the tasks to be accomplished at the site, and on the tower, have been delineated in an Exhibit which is to be included in the agreement to be executed between the County and the Ontario Fire District #1; now, therefore, be it

RESOLVED, that the Fred Nudd Corporation shall be authorized to perform the tasks on the tower included in the aforementioned Exhibit (tasks #1-9, except #5 and #8), at a cost not to exceed \$16,700.00; and be it further

RESOLVED, that Finger Lakes Communication shall be authorized to perform certain cabling and connection work within the Ontario Fire Department, more particularly described as tasks #5 and #8 in the aforementioned Exhibit, at a cost not to exceed \$729.00.

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

**RESOLUTION NO. 864-10: AUTHORIZATION TO APPROPRIATE PROJECT ACCOUNT FUNDING FOR THE RADIO COMMUNICATIONS INFRASTRUCTURE PROJECT**

Mr. Plant presented the following:

WHEREAS, the current radio project financial status has been reviewed by the Public Safety Committee, including a review of appropriations to date against committed and proposed projects, with a determination made as to the funding necessary to complete all current phases; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer \$131,627.00 from A878 Undesignated Capital Reserve as follows:

**A9950 – TRANSFER TO CAPITAL FUND PROJECT**

\$131,627.00 TO .51934 Radio Interoperability Project

**H1934 – RADIO INTEROPERABILITY PROJECT**

\$131,627.00 TO .45031 – Interfund Transfer

\$131,627.00 TO .52000 COCST – Equipment and Other Cap

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

**RESOLUTION NO. 865-10: AUTHORIZATION TO APPLY FOR HOMELAND SECURITY GRANT FOR WAYNE COUNTY EMERGENCY MANAGEMENT OFFICE**

Mr. Plant presented the following:

WHEREAS, the Wayne County Emergency Management Office has received notification of a grant in the amount of \$205,712 from the New York State Division of Homeland Security and Emergency Services for the FY10 State Homeland Security Program is available for which no local match is required; and

WHEREAS, the purpose of this grant is allow the Wayne County Emergency Management Office to enhance the level of security and service that it currently provides to the citizens of Wayne County during a time of emergency; and

WHEREAS, the Wayne County Emergency Management Office is required by grant guidance to use the funds to support planning, equipment, training and exercise needs associated with preparedness and prevention activities; now, therefore, be it

RESOLVED, that the Director of Emergency Management and the Emergency Management Office Training Officer are hereby authorized to submit a grant application, to be signed by the Chairman of the Board of Supervisors for the FY10 State Homeland Security Program.

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

**RESOLUTION NO. 866-10: AUTHORIZATION TO EXPEND GRANT FUNDS (SH08-1085-E00) AND PURCHASE EQUIPMENT**

Mr. Plant presented the following:

WHEREAS, Resolution No. 33-09 authorized the acceptance of grant funds and the execution of a contract (SH08-1085-E00) with NYS Homeland Security; and

WHEREAS, the equipment listed as follows was approved by NYS as acceptable use of the grant funding; and

WHEREAS, this equipment is necessary for operational readiness to respond to a radiological event; and

WHEREAS, this equipment will move into the new EOC, when completed; now, therefore, be it

RESOLVED that Wayne County Emergency Management is authorized to purchase the

following equipment:

Survey Meters (5) \$522 (each)  
Probe (5) \$227 (each)  
Cables (10) \$ 53 (each)

and be it further

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

**A3640-EMERGENCY MANAGEMENT OFFICE:**

\$4,275 to .44306 Homeland Security

\$4,275 to .52203 Homeland Security Equipment

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

**RESOLUTION NO. 867-10: AUTHORIZATION TO MODIFY BUDGET AND EXPEND GRANT FUNDS**

Mr. Plant presented the following:

WHEREAS, the Wayne County Emergency Management Office has received a FY07 State Homeland Security Grant in the amount of \$158,000 with no local match required; and

WHEREAS, a portion of said grant application included the purchasing of video monitoring equipment for use in Web-EOC© crisis management information software located in the Emergency Management Offices and real-time local news information for the Public Information Officer for the purposes of radiological monitoring, media monitoring and enhanced communications capabilities during drills and actual emergencies; now, therefore, be it

RESOLVED, that the County Treasurer amend the 2010 County Budget as follows:

**A3640-EMERGENCY MANAGEMENT**

\$24,813 to .44306 Homeland Security Grant

\$24,813 to .52203 Homeland Security Equipment

and be it further

RESOLVED, that the Director of Emergency Management is authorized to purchase the required video equipment as follows:

Equipment

A3640.522203 \$24,813

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

**RESOLUTION NO. 868-10: AUTHORIZE REQUEST FOR PROPOSALS FOR RADIOLOGICAL DECONTAMINATION SERVICES**

Mr. Plant presented the following:

WHEREAS, the Wayne County Board of Supervisors has passed a resolution regarding the sale of the Certified Home Health Agency (CHHA); and

WHEREAS, Radiological Decontamination Services have historically been performed by employees of the CHHA; and

WHEREAS, Wayne County is required by NUREG 0654. to provide said services; now, therefore, be it

RESOLVED, that the Director of Emergency Management be authorized and directed to issue a Request for Proposal (RFP) for Radiological Decontamination Services, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 869-10: AUTHORIZATION TO ACCEPT A STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT FROM THE OFFICE OF HOMELAND SECURITY** Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has been awarded a 2010 State Law Enforcement Terrorism Prevention Program grant, (SLETPP) from the Office of Homeland Security, in the amount of \$89,312; and

WHEREAS, said grant is contingent upon the submission and acceptance of the SLETPP application and the acceptance of the grant by the County of Wayne; and

WHEREAS, the Sheriff is the administrator of said grant; and

WHEREAS, said grant monies are directed to be spent on law enforcement terrorism prevention-oriented planning, organization, training, exercise and equipment activities; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the grant between the NYS Office of Homeland Security and the Wayne County Sheriff's Office; and, further, be it

RESOLVED, that the Wayne County Sheriff is hereby authorized and directed to execute any documents necessary to implement the grant on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 870-10: AUTHORIZATION TO EXECUTE AN AFFILIATION AGREEMENT FOR A STUDENT INTERN FOR THE SHERIFF'S OFFICE**

Mr. Plant presented the following:

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

WHEREAS, the Sheriff's Office has agreed to have a student participate in an internship through Marywood University, Scranton PA; and

WHEREAS, said internship is dependent upon an Affiliation Agreement between the County of Wayne and Marywood University; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an Affiliation Agreement for student internship with Marywood University, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 871-10: AUTHORIZE WAYNE COUNTY FIRE ADVISORY BOARD APPOINTMENTS FOR 2011-2012**

Mr. Plant presented the following:

WHEREAS, the term of office for the Wayne County Fire Advisory Board shall be for a period of 2 years; and

WHEREAS, the terms of the office of the members of the Wayne County Fire Advisory Board expire on December 31, 2010; now, therefore, be it

RESOLVED, that the following individuals are hereby appointed to a 2 year term of office commencing January 1, 2011 and ending December 31, 2012:

Arcadia	Doug Hares	Ontario	Rich Luetz
Butler	Jeffery Teeter	Palmyra	Ronald Hickman

Galen	Joe Tavano Sr.	Wolcott	Lonny Drake
Huron	Gary Lockwood	Savannah	Scott Kolczynski
Lyons	Charles Gibson	Sodus	Tom Roder
Macedon	Kenneth Hammond	Williamson	David Knataitis
Marion	Richard Murphy	Walworth Ray Welker Jr.	
Rose	Jack Newman		

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Manktelow.

Mr. Manktelow moved, seconded by Mr. Colacino, that the Fire Advisory Board Appointments be amended by replacing the Town of Lyons representative name of Charles Gibson with Stephen Buisch. Motion carried. Upon roll call, adopted.

**RESOLUTION NO. 872-10: ADOPTING INTERNAL REVENUE SERVICE MILEAGE RATE AS COUNTY MILEAGE ALLOWANCE FOR 2011**

Mr. Hammond presented the following:

WHEREAS, the IRS has issued it's per mile rate allowed for reimbursement for standard mileage at .51 cents per mile, up from .50 cents per mile in 2010; 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 adopts the prevailing Internal Revenue Service mileage rate for 2011, effective January 1, 2011, for all County approved travel reimbursement.

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

**RESOLUTION NO. 873-10: AUTHORIZATION TO AMEND THE 2010 COUNTY BUDGET FOR DEFENSE OF INDIGENTS**

Mr. Hammond presented the following:

WHEREAS, expenditures have or will be exceeding line items for 2010 and require line item transfers; and

WHEREAS, amending the 2010 County Budget for the Legal Defense of Indigents will allow for continued expenditure of funds to pay authorized bills; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 County Budget as follows:

**A1172-LEGAL DEFENSE OF INDIGENTS:**

\$22,580 to .54505 Assigned Counsel-Family

\$20,100 to .54507 Assigned Counsel-Felony

\$ 7,320.00 to .54556 Assigned Counsel-Misdemeanor

**A1990-CONTINGENT FUND GEN:**

\$50,000.00 from .54000 Contractual Expense

and be it further

RESOLVED, that claims for the Defense of Indigents that have been filed for payment shall be paid as part of an interim audit prior to December 31, 2010.

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

**RESOLUTION NO. 874-10: AUTHORIZING AGREEMENT WITH COOPERATIVE EXTENSION ASSOCIATION FOR PAYMENT OF 2011 APPROPRIATIONS**

Mr. Hammond presented the following:

WHEREAS, the sum of \$424,647 was appropriated in the 2011 County Budget for the support and maintenance of the work of the County Cooperative Extension Association of Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the Memorandum of Agreement concerning payment of County Appropriations submitted by Cooperative Extension, subject to the County Attorney's approval as to form and content, requiring Cooperative Extension to expend such funds in accordance with an agreement between the Association and Cornell University as agent for the State for the cooperative management of the educational work of the Cooperative Extension Association and the proper supervision of the professional staff employed, and in accordance with the budget of the Association submitted to Cornell University and the Board of Supervisors, and to render an annual report to the Board of Supervisors accounting for receipts, expenditures, and financial condition of Cooperative Extension; and be it further

RESOLVED, that the appropriated sum of \$424,647 shall be paid in equal quarterly installments to the bonded Treasurer of Cooperative Extension, upon audit and approval by the Board of Supervisors of vouchers submitted by Cooperative Extension in such form and containing such information and documentation as may be required by the Board of Supervisors, provided that Cooperative Extension shall comply with the County's Category II minimum insurance standards.

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

**RESOLUTION NO. 875-10: AUTHORIZATION TO PAY WAYNE COUNTY FEDERATION OF SPORTSMEN'S CLUB 2011 APPROPRIATIONS**

Mr. Hammond presented the following:

WHEREAS, the Wayne County Board of Supervisors has budgeted 2011 funds for the Wayne County Federation of Sportsmen's Club; now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to pay the sum of \$1,877 for the 2010 Appropriation to the Wayne County Federation of Sportsmen's Club, upon submission of claims for payment and after audit and approval of said claims by the Board of Supervisors.

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

**RESOLUTION NO. 876-10: AUTHORIZATION TO PAY WAYNE COUNTY HISTORICAL SOCIETY AND MUSEUM 2011 APPROPRIATIONS**

Mr. Hammond presented the following:

WHEREAS, the Wayne County Board of Supervisors has budgeted 2011 funds for the Wayne County Historical Society and Museum; now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to pay the sum of \$16,200 in one installment in the month of June 2011, for the 2011 Appropriation to the Wayne County Historical Society and Museum, upon submission of a claim for payment and after audit and approval of the claim by the Board of Supervisors.

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

**RESOLUTION NO. 877-10: AUTHORIZING 2011 LEGAL SERVICES CONTRACT WITH THE LEGAL AID SOCIETY OF WAYNE COUNTY, INC.**

Mr. Hammond presented the following:

RESOLVED, pursuant to Section 244(10) and Section 722 of the County Law, 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 Legal Aid Society of Wayne County, Inc. for the provision of legal services in civil matters of indigent residents of Wayne County during the period from January 1, 2011 to December 31, 2011; and be it further

RESOLVED, that in full consideration of the services rendered by the Legal Aid Society during the term of the contract, the County shall pay the sum of \$197,654 or the total amount adopted in the 2011 budget, payable in equal monthly installments of \$16,471.17, and shall provide rent-free office space in a County office building.

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

**RESOLUTION NO. 878-10: AUTHORIZATION TO PAY THE PIONEER LIBRARY SYSTEM 2011 APPROPRIATIONS**

Mr. Hammond presented the following:

RESOLVED, that the Clerk of the Board is hereby authorized to pay the appropriated sum of \$94,365 paid to The Pioneer Library System in two (2) installments of \$47,182.50 each, upon audit and approval by the Board of Supervisors of vouchers submitted by The Pioneer Library System, in the months of February and August 2011.

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

**RESOLUTION NO. 879-10: APPROVING PAYMENT OF 2011 APPROPRIATIONS TO GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL**

Mr. Hammond presented the following:

WHEREAS, the County of Wayne has appropriated the sum of \$9,970 as its share of the 2011 operating funds of the Genesee/Finger Lakes Regional Planning Council; now, therefore, be it

RESOLVED, that the payment of \$9,970 to the Genesee/Finger Lakes Regional Planning Council for 2011 is hereby approved.

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

**RESOLUTION NO. 880-10: AUTHORIZING PAYMENT OF 2011 APPROPRIATION FOR WAYNE COUNTY SOIL AND WATER CONSERVATION DISTRICT**

Mr. Hammond presented the following:

WHEREAS, the sum of \$184,475.00 was appropriated in the 2011 County Budget for the support and maintenance of the work of the Wayne County Soil and Water Conservation District; now, therefore, be it

RESOLVED, that the payment shall be made to the properly bonded Treasurer of the Wayne County Soil and Water Conservation District in three installments (January - \$61,491.67; April - \$61,491.67; July - \$61,491.67) upon submission by the Soil and Water Conservation District of claims for payment, after audit and approval of the claims by the Board of Supervisors; and be it further

RESOLVED, that the Wayne County Soil and Water Conservation District shall be reimbursed a total cost not to exceed \$100,000 by monthly voucher for actual costs for the drainage program; and be it further

RESOLVED, that the Wayne County Soil and Water Conservation District shall be

reimbursed a total cost not to exceed \$59,100 by monthly voucher for actual costs for the Weed Harvesting Program.

Mrs. Collier moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, all Supervisors voted Aye, except Supervisor Hammond who Abstained from voting. Absent – Supervisor Bender. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 881-10: AUTHORIZING EXECUTION AND SUBMISSION OF 2011 ALTERNATIVES TO INCARCERATION SERVICE PLAN UPDATE FOR PRE-TRIAL RELEASE PROGRAM AND AUTHORIZING PROGRAM FUNDING AGREEMENT WITH NEW YORK STATE DIVISION OF PROBATION ALTERNATIVE**

Mr. Hammond presented the following:

WHEREAS, Wayne County's Alternative to Incarceration Advisory Board has prepared the 2009 Alternatives to Incarceration Service Plan Update; and

WHEREAS, the 2011 Plan Update includes the budget for the Pre-Trial Release Program to be implemented by Wayne Pre-Trial Services, Inc., pursuant to a subcontract with Wayne County during the period from January 1, 2011 to December 31, 2011, to be funded as follows:

State Funds	\$30,791.00
Required Local Match	\$79,848.00

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors ("Chairman") is hereby authorized and directed to execute the 2011 Alternatives to Incarceration Services Plan Update on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, and to submit it to the New York Division of Probation and Correctional Alternatives; and be it further

RESOLVED, that the Chairman is hereby authorized and directed to execute a subcontract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne Pre-Trial Services, Inc. for implementation of the program at a cost not to exceed \$110,639 to be funded as follows; State Funds \$30,791.00; County Funds \$79,848.00; and be it further

RESOLVED, that monthly payments of \$9,219.92 for the months of January 2011 through December 2011 shall be made to Wayne Pre-Trial Services, Inc.

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

**RESOLUTION NO. 882-10: AUTHORIZE NECESSARY 2010 BUDGET TRANSFERS FOR THE YEAR END**

Mr. Hammond presented the following:

WHEREAS, year end requires transfers between departments and between line items to eliminate deficits; and

WHEREAS the Budget Officer will prepare said line item transfers and forward them to the Treasurer's Office; 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.

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

**RESOLUTION NO. 883-10: ESTABLISHING TOWN EQUALIZATION RATES FOR 2011 COUNTY TAXES**

Mr. Hammond presented the following:

RESOLVED, pursuant to Section 804 of the Real Property Tax Law, that the following rates recommended by the County Equalization Committee of the Wayne County Board of Supervisors are hereby adopted and established as the County Equalization rates for the towns in Wayne County for the year 2010 to affect the 2011 County taxes:

Arcadia	100.00	Palmyra	100.00
Butler	100.00	Rose	98.00
Galen	100.00	Savannah	90.00
Huron	93.00	Sodus	100.00
Lyons	100.00	Walworth	100.00
Macedon	100.00	Williamson	95.00
Marion	98.00	Wolcott	100.00
Ontario	100.00		

and be it further

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

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

**RESOLUTION NO. 884-10: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION)**

Mr. Hammond presented the following:

WHEREAS, proceedings to review real property tax assessments are annually commenced against assessing units, namely the Towns of Wayne County; and

WHEREAS, County taxes are based upon assessments established by the assessing units; and

WHEREAS, the County tax levy is, therefore, affected by any court ordered or stipulated reduction in assessed valuation; and

WHEREAS, this Board approved Resolution No. 444-95, amended by Resolution No. 700-06, which was amended by Resolution No. 688-07 and subsequently Resolution No. 307-10 which defined standards and procedures for County participation in litigation involving challenges to real property assessments; and

WHEREAS, a request from the Town of Palmyra has been received by the Real Property Tax Services Director and reviewed and recommended by the Director and the County Attorney; and

WHEREAS, the written request from the Town of Palmyra does include statement of fact that the Town of Palmyra, the Village of Palmyra and the Palmyra-Macedon Central School District have all resolved for their respective Board approval to share in the defense costs for Real Property Tax Assessment review Article 7 proceedings; now, therefore, be it

RESOLVED, that the County of Wayne will participate in providing financial assistance for litigation challenges of real property tax assessments per the provisions of Resolution No. 307-10 for the following Town and their respective petition:

TOWN	Property Owner	Parcel ID#	Index #(s)
Palmyra	Bamberger Wayne Properties, LLC	65111-05-174865, 64111-11-748685 64111-11-735653, 64111-11-737509	71365et al

64111-12-773735, 64111-11-625642  
64111-11-651564, 64111-11-733561  
64111-11-518610, 64111-12-914730  
64111-12-918604, 64111-12-756646  
64111-12-756623, 64111-11-749673  
64111-11-726589, 64111-11-520649

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

**RESOLUTION NO. 885-10: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS**

Mr. Hammond presented the following:

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

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

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

**TOWN OF ARCADIA**

2011 Tax Roll

Account No.	68110-08-926959	
Assessed to:	Patrick Elliot	
Total Tax Difference:	\$650.68	Total County Tax Difference: \$00.00
Corrected Total Tax:	\$1141.42	

**TOWN OF ARCADIA**

2011 Tax Roll

Account No.	68112-20-921150	
Assessed to:	Norma McIntyre	
Total Tax Difference:	\$321.00	Total County Tax Difference: \$00.00
Corrected Total Tax:	\$39.48	

and be it further,

RESOLVED, that the County Treasurer is hereby authorized and directed to charge back the pertinent taxing authorities in the manner prescribed by Section 554 of the Real Property Tax Law.

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

**RESOLUTION NO. 886-10: AUTHORIZATION TO PAY 2011 APPROPRIATION FOR PALMYRA UNION AGRICULTURAL SOCIETY FOR THE WAYNE COUNTY FAIR**

Mr. Hammond presented the following:

WHEREAS, the sum of \$5,265 was appropriated in the 2011 County Budget for financial support to the Wayne County Fair through the Palmyra Union Agricultural Society; now, therefore, be it

RESOLVED, that the appropriated sum of \$5,265 shall be paid in a one-time payment to the Treasurer of the Palmyra Union Agricultural Society, upon receipt of an invoice submitted to the Clerk of the Board.

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

adopted.

**RESOLUTION NO. 887-10: AUTHORIZATION TO AMEND BUDGET, TRANSFER FUNDS AND PURCHASE WIDE FORMAT PRINTER/COPIER/SCANNER FOR REAL PROPERTY TAX**

Mr. Hammond presented the following:

WHEREAS, the current printer has failed and is no longer able to be fixed; and

WHEREAS, this printer is used to print annual tax maps for the towns as well as ones requested from the public; and

WHEREAS, there is available on state contract said equipment; and

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

RESOLVED, that the County Treasurer amend the 2010 County Budget as follows:

A1990-Contigent Fund Gen

\$16,300 from .54000 Contractual Expense

A1355 Real Property Tax

\$16,300 to .52201 Computer equipment

RESOLVED, that the Director of Real Property Tax Services is hereby authorized to purchase the plotter and 1<sup>st</sup> year maintenance from account A13552-52201, at a cost not to exceed \$16,300.

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

**RESOLUTION NO. 888-10: AUTHORIZATION TO PAY INSURANCE PREMIUM TO HAYLOR, FREYER AND COON, INC.**

Mr. Hammond presented the following:

WHEREAS, Wayne County has received a quote from Haylor, Freyer and Coon, Inc. for the following renewal premium due for the County of Wayne for the period of January 1, 2011 through December 31, 2011:

1. Crime Policy - Zurich in the amount of \$4,975; now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to make payments to Haylor, Freyer & Coon, Inc. in the amounts of Four Thousand Nine Hundred Seventy Five and 00/100 from Account A1910.4300 upon adoption of this resolution.

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

**RESOLUTION NO. 889-10: AUTHORIZATION TO RENEW A SERVICE CONTRACT WITH SMS (SYSTEMS MAINTENANCE SERVICES) FOR IBM HARDWARE MAINTENANCE FOR THE INFORMATION TECHNOLOGY DEPARTMENT**

Mr. Hammond presented the following:

WHEREAS, IBM Hardware is used by IT to house the jail system and related Sheriff databases; and

WHEREAS, the maintenance comes up for renewal on an annual basis on January 1<sup>st</sup>, 2011; and

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 SMS for Network IBM Hardware Maintenance for the contract period of January 1, 2011 to December 31, 2011 at a cost not to exceed \$2,400.

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

**RESOLUTION NO. 890-10: AUTHORIZATION TO AMEND BUDGET FOR DEPARTMENT FOR THE AGING TO PROVIDE SUFFICIENT FUNDING FOR BUILDING MAINTENANCE CHARGES**

Mr. Hammond presented the following:

WHEREAS, the Department of Aging 2010 budget will experience a shortfall for the payment of Building Maintenance Charges to the Building and Grounds Department; and

WHEREAS, this is partially due to charges made to the department for building maintenance issues beyond the control of the department; and

WHEREAS, the charge to the department becomes revenue to the Buildings and Grounds Department to offset its operating costs; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to make the following adjustments to the 2010 budget:

**A1990 Contingent Fund Gen**

\$7,500 from .54000 Contractual Expenses

**A6772 Area Agency on Aging**

\$7,500 to .54438 Maintenance/Repairs

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

**RESOLUTION NO. 891-10: AMEND PUBLIC SAFETY BUILDING PROJECT (H1925) PER CHANGE ORDER NUMBERS APPROVED ON DECEMBER 7, 2010**

Mr. Hammond presented the following:

WHEREAS, the Building Renovation Committee (BRC) has the authority to approve change orders up to \$10,000.00 for the Public Safety Building Renovation Project; and

WHEREAS, the BRC met on December 7, 2010 to review the status of the project and reviewed and approved various change orders with in components of the project; and

WHEREAS, the following change orders were reviewed and approved for the General Contractor component: GC-68 installation of temporary fence (\$2,355), GC-79 tape and finish existing drywall (\$1,944), GC-90 furnish and install new door frame (\$594), GC-92 lower glass in the corners of two rooms (\$1,428), GC-93 provide flashing to protect exterior foundation exposed due to regarding (\$2,505), GC-96 deletion of building signage (credit \$2,095), GC-97 change lockset from passage to locking (\$586), GC-98 adding remote card access to door (\$1,725), GC-99 cleaning of existing swale near parking lot (\$2,394), and GC-102 difference in cost for drywall ceiling from a drop ceiling in area S-1005 (\$1,120) making a net total increase of \$12,556 in cost.

WHEREAS, the above approved change orders require amendments to the H1925 CO. BLDG. RENOVATION-ONH budget; now therefore be it

RESOLVED, that the County Treasurer is hereby directed to amend Project H1925 CO. BLDG. RENOVATION-ONH as follows:

**H1925-CO. BLDG. RENOVATION-ONH:**

\$ 12,556 to .52813 General Trades

\$ 12,556.00 from .52818 Contingency

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

**RESOLUTION NO. 892-10: AUDIT OF CLAIMS- December 21, 2010**

Mr. Hammond presented the following:

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

RESOLVED, that the following Claims totaling \$3,240,034.57 are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

A Fund	\$ 1,907,422.78
D Fund	\$ 84,671.57
DM Fund	\$ 295,110.59
E Fund	\$ 387,569.64
H Fund	\$ 543,565.99
MS Fund	\$ 21,311.00
S Fund	\$ 363.00
Warrant Total	\$ 3,240,034.57

and be it further

RESOLVED, that the following utilities totaling \$121,329.42, processed pursuant to Resolution No. 176-78, are hereby ratified:

A Fund	\$ 80,871.06
H Fund	\$ 6,999.75
DM Fund	\$ 3,018.71
E Fund	\$ 30,439.90
Utility Total	\$ 121,329.42

and be it further,

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling \$411,848.57, are hereby ratified:

Misc. Disbursement Total	\$ 411,848.57
November Payments Total	\$ 3,773,212.56

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

#### **AD HOC – Hotchkiss Building Committee**

#### **RESOLUTION NO. 893-10: AMEND HOTCHKISS BUILDING PROJECT TO REFLECT REDUCED RESTORATION BUDGET AND AUTHORIZE COUNTY CONTRIBUTION (DEFEATED)**

Mr. Manktelow presented the following:

WHEREAS, the agreement for the federal Save America's Treasures Grant in the amount of \$197,221 expires on June 30, 2011; and

WHEREAS, the funds for this grant must be expended no later than 30 days subsequent to the expiration of the agreement; and

WHEREAS, required grant agency reviews and approvals of the design for the project are taking more time than anticipated thereby creating timeline issues; and

WHEREAS, attempts to obtain an extension of the agreement deadline were not successful; and

WHEREAS, the project timeline will not allow expenditure of funds related to this grant by the deadline imposed; and

WHEREAS, the Save America's Treasures grant must therefore be returned to the U.S. Department of the Interior and the Hotchkiss Project budget amended to reflect a reduction in funding of \$197,221; and

WHEREAS, the action to return the Save America's Treasures grant will result in a

County cost for this project; and

WHEREAS, completely abandoning the project will cost the county in excess of \$100,000, the amount that has been expended thus far for the design and document consultants; and

WHEREAS, alternatively the County can contribute \$49,900 toward the project and preserve the balance of the other grant funding and complete a project on a reduced scale; now, therefore, be it

RESOLVED, that a County expenditure not to exceed \$49,900 is authorized for this project; and be it further

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

**A1990 CONTINGENT FUND GENERAL**

\$49,900 from .54000 Contractual Expenses

**A9950 TRANSFER TO CAPITAL FUND PROJECT**

\$49,900 to .52775 County Building Renovations

**H74020 HOTCHKISS BUILDING RESTORATION**

(Revenue)

\$49,900 to .45031 Interfund Transfers

\$197,121 from .44001 Hotchkiss Bldg-Federal Aid

(Appropriation)

\$147,221 from .52000 Equipment & Other Cap Outlay

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Groat.

Supervisor Manktelow, Chairman of the Ad Hoc Hotchkiss Building Committee, introduced Sharon Lilla, Director of the Wayne County Planning Department to discuss the purpose of today's proposed resolution for the H.G. Hotchkiss Property. Ms. Lilla gave an overview that included grant funding deadlines for the restoration/renovation project of the H.G. Hotchkiss Building; and answered questions that the Board had.

Questions were raised regarding the outlook for the success of this project, as the original Board approval to accept the grant included no additional county costs.

Members asked if the Village of Lyons was still interested in taking responsibility of this property after the completion of the restoration project.

Supervisors addressed concerns regarding the grant timelines that have not been met; and were discouraged with the many agencies involved that have held up certain items necessary to meet those deadlines.

More discussion took place regarding the costs expended thus far, in excess of \$100,000, the amount for the design and document consultants verses contributing the additional \$49,900 toward the project to preserve the balance of the other grant funding; and complete a project on a reduced scale.

A question was raised as to any assurance to put pressure on the reviewing agencies in charge to meet the crucial grant funding deadlines.

Discussion continued with comments that the County took ownership of this property with the intension of preserving it.

A statement was made that Wayne County provides service; further, this restoration project should not be a County expense.

Mr. Lauderdale moved, seconded by Mr. Colacino, that an amendment be drafted to include that the additional County expenditure is contingent upon the amendment of an agreement between the County of Wayne and the Village of Lyons, to reflect the loss of the

"Save America's Treasures Grant" of \$197,221. Motion carried.

The Chairman requested the board take a short recess at 10:12 a.m. to consult with the County Attorney to write the proposed amendment.

After the Board resumed session, copy of the following amended resolution was distributed:

**RESOLUTION NO. 893-10: AMEND HOTCHKISS BUILDING PROJECT TO REFLECT REDUCED RESTORATION BUDGET AND AUTHORIZE COUNTY CONTRIBUTION AND AUTHORIZE AMENDED AGREEMENT (DEFEATED)**

Mr. Manktelow presented the following:

WHEREAS, the agreement for the federal Save America's Treasures Grant in the amount of \$197,221 expires on June 30, 2011; and

WHEREAS, the funds for this grant must be expended no later than 30 days subsequent to the expiration of the agreement; and

WHEREAS, required grant agency reviews and approvals of the design for the project are taking more time than anticipated thereby creating timeline issues; and

WHEREAS, attempts to obtain an extension of the agreement deadline were not successful; and

WHEREAS, the project timeline will not allow expenditure of funds related to this grant by the deadline imposed; and

WHEREAS, the Save America's Treasures grant must therefore be returned to the U.S. Department of the Interior and the Hotchkiss Project budget amended to reflect a reduction in funding of \$197,221; and

WHEREAS, the action to return the Save America's Treasures grant will result in a County cost for this project; and

WHEREAS, completely abandoning the project will cost the county in excess of \$100,000, the amount that has been expended thus far for the design and document consultants; and

WHEREAS, alternatively the County can contribute \$49,900 toward the project and preserve the balance of the other grant funding and complete a project on a reduced scale; now, therefore be it

RESOLVED, that a County expenditure not to exceed \$49,900 is authorized for this project; and be it further

RESOLVED, that said county expenditure is contingent upon the amendment of an agreement between the County of Wayne and the Village of Lyons to reflect loss of the "Save America's Treasures Grant"; and be it further

RESOLVED, that the Chairman of the Board is hereby authorized to execute said amendment of the agreement, subject to the County Attorney's approval as to form and content; and be it further

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

**A1990 CONTINGENT FUND GENERAL**

\$49,900 from .54000 Contractual Expenses

**A9950 TRANSFER TO CAPITAL FUND PROJECT**

\$49,900 to .52775 County Building Renovations

**H74020 HOTCHKISS BUILDING RESTORATION**

(Revenue)

\$49,900 to .45031 Interfund Transfers

\$197,121 from .44001 Hotchkiss Bldg-Federal Aid  
(Appropriation)  
\$147,221 from .52000 Equipment & Other Cap Outlay

Discussion continued that included the question if county funds were available to possibly put the Hotchkiss building structure in sound condition to turn over to the Village of Lyons

Many Board members agreed that they would truly like to see this project completed as there is a need to preserve our history. Some stated that the risks in today's economy are too high and perhaps the County should cut its losses.

Further comment included that unless some private organization comes through with the funding necessary, no additional county funds should be used for the restoration of the Hotchkiss Property.

Upon roll call on the amended resolution, all Supervisors voted Nay, except Supervisors Colacino, Groat, Crane, Manktelow, Collier and Lauderdale who voted Aye. Absent – Supervisor Bender. The Chairman declared the Resolution defeated.

Mrs. Crane moved, seconded by Mrs. Collier that three (3) resolutions be allowed on the floor under other business. Upon roll call, all supervisors voted Aye except Supervisors Lauderdale who voted Nay. Absent – Supervisor Bender. Motion carried.

**RESOLUTION NO. 894-10: ACCEPTANCE OF PHARMACEUTICAL AVERAGE WHOLESALE PRICE LITIGATION PROCEEDS**

Mrs. Crane presented the following:

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

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

RESOLVED, that the Wayne County Board of Supervisors hereby accepts Wayne County's share of the Average Wholesale Litigation Settlement Proceeds as follows:

- \$5,781.16 from Merck
- \$923.20 from Novartis
- \$10,474.84 from Schering Warrick
- \$307.73 from TAP
- \$14,134.59 from Watson

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

**RESOLUTION NO. 895-10: AUTHORIZATION TO CREATE AND FILL THE ASSISTANT ADMINISTRATOR/COMPLIANCE POSITION FOR THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, it has been determined that the current Compliance Officer function at the Nursing Home should be changed from consultant to an employee position; and

WHEREAS, the Nursing Home is also in need of an Assistant Administrator; and

WHEREAS, it is efficient to have both of these functions performed by an Assistant Administrator/Compliance Officer position; and

WHEREAS, the Wayne County Nursing Home 2011 Budget reflects an Assistant Administrator/Compliance position; and

WHEREAS, it has been determined that this position is Management Confidential; and WHEREAS, the salary has been budgeted at \$65,350 per year; now, therefore, be it RESOLVED, that the position of Assistant Administrator/Compliance at the Wayne County Nursing Home is hereby created at the annual salary of \$65,350, effective January 3, 2011.

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

**RESOLUTION NO. 896-10: AUTHORIZATION TO PAY INSURANCE PREMIUM TO HAYLOR, FREYER AND COON, INC.**

Mr. Hammond presented the following:

WHEREAS, Wayne County has received a renewal notice from Haylor, Freyer and Coon, Inc. for the following insurance policies for the period of January 1, 2011 – December 31, 2011:

1. Excess Employers Liability in the amount of Thirty Six Thousand Twenty One (\$36,021) from Account S17104.54003  
now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to make payments to Haylor, Freyer & Coon, Inc. after January 1, 2011 in the amounts Thirty Six Thousand One Hundred Seventy Five (\$36,021) for the Excess Employers Liability from Account S17104.54003.

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

County Attorney Wyner addressed the Board to state that his office received this invoice last Friday, for Excess Employers Liability Coverage for the County, beginning January 1, 2011, thus, the need for this resolution today.

Upon roll call, adopted.

**EXECUTIVE SESSION:** Mrs. Collier moved, seconded by Mr. Lauderdale that the Board go into Executive Session at 12:06 p.m. to discuss proposed litigation. Upon roll call, carried.

**REGULAR SESSION:** Ms. Park moved, seconded by Mr. Lauderdale that the Board resume regular session at 12:45 p.m. Carried.

**ADJOURNMENT:**

The 2011 Organizational Meeting of the Wayne County Board of Supervisors is scheduled for Tuesday, January 4, 2011 at 9:00 a.m.

Ms. Park moved, seconded by Mrs. Crane that the board adjourn at 12:46 p.m. Carried. Sine Die.

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