

2nd Day  
Tuesday, January 20, 2009  
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 Fabino, 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.

**SUMMARY OF CLAIMS BY COMMITTEE:**

<b>Committee No. 1</b>	<b>Finance</b>	
A13254	Treasurer	1,854.54
A13554	Assessment - Real Property Tax	4,715.92
A16802	Information Technology	1,309.00
A16804	Information Technology	14,102.27
A19304	Judgments & Claims	1,219.06
A24904	Community College	245,810.43
H19392	Route 31 Complex	<u>12,236.55</u>
		<b>281,247.77</b>
<b>Committee No. 2</b>	<b>Public Safety</b>	
A11652	District Attorney	305.99
A11654	District Attorney	25,081.86
A11674	Crime Victims Board Grant	176.13
A11704	Public Defender	7,665.61
A11724	Legal Defense of Indigents	64,977.58
A11734	Wayne Pre-Trial Services, Inc.	9,219.92
A11854	Coroner	9,693.40
A11904	Grand Jury	4,595.30
A31104	Sheriff	10,612.85
A31114	Sheriff – Recreational	184.69
A31124	Sheriff - Civil Office	46.04
A31134	Sheriff - Juvenile Office	44.30
A31144	Sheriff - Road Patrol	9,999.50
A31144	Sheriff - Road Patrol	1,300.39
A31154	Sheriff - Detective Unit	410.03
A31164	Sheriff - Court Security	463.35
A31404	Probation	9,098.53
A31504	Sheriff – Jail	40,486.92
A33154	Stop DWI	5,489.95
A34104	Mutual Aid (Fire Coordinator)	1,913.96
A36404	Emergency Management Office	1,306.43
A36424	E911 Communications	780.04
A36424	E911 Communications	28,861.83
A36444	ALS Services	<u>5,373.14</u>
		<b>\$228,892.82</b>
<b>Committee No. 3</b>	<b>Public Works</b>	
A16154	Buildings and Grounds	28,012.38
A16404	Central Garage	10,940.49
A66104	Consumer Affairs (W&M)	134.71

A87304	Soil Conservation	69,711.67
D50104	Highway Administration	1,516.19
D50204	Highway Engineering	5,938.08
D51104	Maintenance of Roads & Bridges	69,895.71
D51114	Road Striping and Sign Maint	4,100.00
D51122	Road Construction	272,398.10
D51424	Snow Removal – County	473,672.54
DM51304	Road Machinery	59,863.11
		<b>996,182.98</b>
<b>Committee No. 4</b>	<b>Economic Development &amp; Planning</b>	
A56324	Bus Operations	18,814.37
A63264	Economic Development Admin	64,350.00
A64104	Publicity (Tourism)	400.00
A64104	Publicity (Tourism)	7,218.74
A64114	Tourism Matching Funds Program	12,755.10
A80204	Planning Board	360.00
A80204	Planning Board	6,041.29
A80254	Regional Planning Board	9,970.00
A81604	Solid Waste Management	236,092.75
A87544	County Extension Serv	106,161.75
H59022	Amtrak Station	20,112.00
		<b>482,276.00</b>
<b>Committee No. 5</b>	<b>Government Operations</b>	
A10104	Legislative Board	2,711.44
A10404	Clerk Legislative Board	969.24
A14104	County Clerk	51.91
A14204	County Attorney	2,518.46
A14304	Human Resources	1,402.00
A14504	Board of Elections	22,565.04
A16704	Undistributed Meter Postage	1,689.00
A16714	Printing Department	1,484.48
A19204	County Officers Assoc/NACA	8,471.00
A75104	County Historian	2,321.06
MS17104	Administrative Fees	19,056.32
S17104	Workers Comp	114,052.00
		<b>181,053.06</b>
<b>Committee No. 6</b>	<b>Health &amp; Medical Services</b>	
A40102	Public Health	54.85
A40104	Public Health	5,868.13
A40114	Public Health Service	25,569.44
A40164	PH - Early Intervention 0-1	112,331.76
A40174	PH - Child w/Spec Needs 3-5	517,814.54
A40184	Public Health Education	2,429.56
A40194	Wayne Community Nursing Care	38,076.05
A40204	PH - EMS Coordinator	779.38
A43004	Behavioral Health	33,062.55
A43004	Behavioral Health	87,851.18
A43224	Community Providers	358,834.00
E60002	NH Combined	45,123.39
E60004	NH Combined	261,889.34
		<b>1,489,684.17</b>
<b>Committee No. 7</b>	<b>Human Services</b>	
A60104	Administration	77,634.11
A60704	Purchase of Services	1,109.06

A61094	Family Assistance	40.00
A61234	Juv Delinquent Care	37,720.00
A61404	Safety Net	120.00
A62124	WFD/DSS Intensive Employment	866.16
A62144	Economic Opportunity & Develop	998.25
A62174	WFD-APY Wage Subsidy	68.51
A62924	WFD-APY Grant	100.00
A62934	WIA Adult	432.86
A62944	WIA Dislocated	1,284.53
A62954	WIA Youth	1,045.82
A62964	TANF Summer	873.60
A65104	Veteran Services	582.81
A67724	Area Agency on Aging	65,762.46
A73104	Youth Bureau	25,000.17
A73114	Youth Program – Recreation	<u>3,097.68</u>
		<b>\$ 216,736.02</b>

<b>Warrant Total</b>	<b>\$3,876,072.82</b>
<b>During the Month Utilities</b>	<b>\$ 150,702.94</b>
<b>Miscellaneous Disbursements</b>	<b>\$ 234,632.92</b>

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

**COMMUNICATIONS:**

The Clerk read the following:

The Sheriff's Report for the month of December 2008 in the amount of \$16,621.26 was received.

A copy of the Western Finger Lakes Solid Waste Management Authority's December 16, 2008 Board Meeting minutes were received and filed.

Copy of the November 12, 2008 minutes for the VA Medical Center Community Council Meeting were received.

Copy of the filing of an Environmental Easement for Garlock Sealing Technologies, LLC, was received regarding the completion of the required clean up in 2008.

A Notice of a "PILOT" agreement was received for the Town of Ontario from the Wayne County Industrial Development Agency.

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

**BIDS:**

Printing Services for the 2009 Wayne County Travel Guides

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

**ANNUAL REPORTS:**

Wayne County Weights and Measures Department

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

**PRIVILEGE OF THE FLOOR:**

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

**PROCLAMATION:**

On behalf of the Board, Supervisor Kim Park presented a proclamation to the Red Creek High School Boy's Soccer Team for their success of winning the Section V Class C Championship title.

**SCHEDULED BUSINESS:**

Ms. Emilie Sisson, Program Manager of the Wayne County Rural Health Network, addressed the Board for a presentation on the Wayne Rx Discount Card.

Ms. Debra Martin, Assistant Attorney General-in-Charge of the Rochester Regional Office, addressed the Board for this opportunity to partner with local officials and spread the word throughout Wayne County for the purpose of investigation and educational services that her agency is able to provide to consumers in our community.

**RESOLUTIONS**

Mr. Colacino read the following resolution, on behalf of the Town of Arcadia and the Board:

**RESOLUTION NO. 14-09: IN MEMORIAM – ORVILLE MARTIN**

Mr. Colacino presented the following:

WHEREAS, Orville Martin served Wayne County as Supervisor for the Town of Arcadia from January 1, 1974– December 31, 1979. Throughout his years of service, he diligently served the Citizens of Wayne County with loyalty and dedication. His death is a great loss to his family and the community;

NOW, THEREFORE, in memory of his service to the people of Wayne County, be it RESOLVED, that the Board of Supervisors of the County of Wayne hereby expresses its great regret in the passing of Orville Martin and extends its deepest sympathy to his family; and be it further

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

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

**RESOLUTION NO. 15-09: TRANSFER OF FUNDS FOR VARIOUS COUNTY DEPARTMENTS**

Mr. Lyon presented the following:

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

WC Public Health Department

\$23,786 from Account No. A40111.51527 to A40111.51526  
\$5,959 from 40111.51527 (Comm. Health Worker) to A40111.51458 (Medical Dir.)  
\$5,959 from 40161.51302 (PHN) to A40161.51458 (Medical Dir.)

WC Planning Department

Increase Account No: A8020.42096 (Local Aid – Harbor Management) to \$8,630  
Increase Account No: A8020.54548 (Harbor Management Plan) to \$8,630

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

**RESOLUTION NO. 16-09: AUTHORIZATION TO PAY SETTLEMENT CLAIM FOR FRED SKROTZKI**

Mr. Lyon presented the following:

WHEREAS, Fred Skrotzki filed a claim against the County of Wayne regarding electrical

damage to computer equipment owned by Fred Skrotzki which damage occurred on July 18, 2008; and

WHEREAS, the parties are desirous of settling said claim for a total amount not to exceed \$1,020.00; now, therefore, be it

RESOLVED, that the claim between Fred Skrotzki and the County of Wayne has been amicably settled between the parties and payment is hereby approved in the amount of \$1,020.00; and be it further

RESOLVED, that the Wayne the County Treasurer is hereby authorized and directed to issue a check made payable to Fred Skrotzki in the amount of \$1,020.00, from Account No. A#1930 (Judgment and Claims), as directed by the Wayne County Attorney.

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

**RESOLUTION NO. 17-09: AUTHORIZATION TO PAY THE PIONEER LIBRARY SYSTEM 2009 APPROPRIATIONS**

Mr. Lyon 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 2009.

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

**RESOLUTION NO. 18-09: AUTHORIZING ADVANCE BILLING OF 2009 INFORMATION TECHNOLOGY SERVICES TO COUNTY NON-REIMBURSEMENT DEPARTMENTS AND SET BILLING RATES FOR REIMBURSEMENT DEPARTMENTS**

Mr. Lyon presented the following:

RESOLVED, that the Director of Information Technology is hereby authorized to make an interdepartmental billing, to the departments listed below for advance payment for the full amount from line item .4414 for the year 2009:

<u>Dept.</u>	<u>Total Estimate 2009</u>	<u>Dept.</u>	<u>Total Estimate 2009</u>
A 1010 - Legislative Board	2,800	A 1640 - Central Garage	1,350
A 1040 - Clerk Legislative Board	11,800	A 3110 - Sheriff's Dept	116,100
A 1165 - District Attorney	11,300	A 3315 - Stop DWI Program	4,200
A 1167 - Victim Witness	900	A 3410 - Fire Coordinator	1,350
A 1170 - Public Defender	8,100	A 3640 - Emergency Mgmt	4,500
A 1185 - Coroner	50	A 3642 - E911 Communications	18,600
A 1230 - County Administrator	7,700	A 62xx - Work Force Dev	9,000
A 1320 - County Auditor	1,000	A 6410 - Tourism & Publicity	3,900
A 1325 - County Treasurer	295,000	A 6510 - Veterans Serv Agency	3,000
A 1345 - Purchasing	0	A 6610 - Weights & Measures	900
A 1355 - Real Property Tax	198,100	A 7510 - Historian	2,700
A 1410 - County Clerk	59,300	A 8020 - Planning Department	7,000
A 1420 - County Attorney	4,500	D 5010 - Highway Department	31,900
A 1430 - Personnel Office	9,000	Econ Dev	2,400
A 1450 - Board of Elections	29,400	Econ Dev. Empire Zone	1,400
A 1615 - Buildings & Grounds	22,800	<b>Totals</b>	<b>\$870,050</b>

and be it further

RESOLVED, that the Director of Information Technology is hereby authorized to make an interdepartmental billing, to the reimbursable departments listed below for payment of services when performed using the following rates:

Port Charge \$900.00 each

Computer Technical charge of \$75/hr

<u>Dept. No.</u>	<u>Department</u>	<u>Total Estimate 2009</u>
A 3140	Probation Department	93,000
A 4010	Public Health (inc4020)	23,100
A 4011	PH BIO Services	5,100
A 4011	PH Services	16,500
A 4016	PH Early Intervention	5,220
A 4017	PH Child w/Spec. Needs	1,020
A 4018	PH Education	1,800
<u>Dept. No.</u>	<u>Department</u>	<u>Total Estimate 2009</u>
A 4019	PH CHHA	30,900
A 4330	Mental Health Programs	109,100
A 6010	Social Services	125,800
A 6772	Area Agency on Aging	15,300
A 7310	Youth Bureau	900
E 6020	Nursing Home	<u>62,400</u>
	<b>Totals</b>	<b>\$490,140</b>

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

**RESOLUTION NO. 19-09: AUTHORIZATION TO INCREASE HOURLY RATE INCREASE FOR COMPUTER TECHNICAL SERVICES FOR THE WAYNE COUNTY INFORMATION TECHNOLOGY DEPARTMENT**

Mr. Lyon presented the following:

WHEREAS, due to the increase in overhead expenses, the Wayne County Information Technology Department must increase the Computer Technical Services hourly rate; now, therefore, be it

RESOLVED, that the Director of Information Technology is hereby authorized to increase the hourly rate, effective January 1, 2009 from \$60 to \$75.

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

**RESOLUTION NO. 20-09: AUTHORIZATION TO CREATE SENIOR NETWORK SUPPORT POSITION FOR THE WAYNE COUNTY INFORMATION TECHNOLOGY DEPARTMENT**

Mr. Lyon presented the following:

WHEREAS, the duties of an additional Senior Network Technician are required in the Information Technology Department; and

WHEREAS, the 2009 Wayne County Budget includes funding for said position; now, therefore, be it

RESOLVED, that as of January 1, 2009 one (1) additional Senior Network Technician position is hereby created in the Information Technology Department and has been so budgeted in the approved 2009 Budget; and be it further

RESOLVED, that upon successful completion of Civil Service requirements, one (1) position of Computer Technician is hereby abolished.

Mr. Plant 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. 21-09: AUTHORIZING COUNTY TREASURER TO DISBURSE SURPLUS DOG LICENSE FEES**

Mr. Lyon presented the following:

WHEREAS, Pursuant to Section III of the Agriculture and Markets Law, the County Treasurer has filed a Dog License Report covering the monies remitted and the monies expended by the Treasurer under the provision of Article 7 of the Agriculture and Markets Law

for the period January 1, 2008 to December 31, 2008; and  
WHEREAS, said report shows the amount of \$14,519.03 is to be apportioned to the towns ratably to the remittance made by each municipality; now, therefore, be it  
RESOLVED, that the report is hereby accepted by the Board of Supervisors and the County Treasurer is hereby authorized and directed to pay the amounts apportioned to the municipalities as set forth in the report on file with the Clerk.

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

**RESOLUTION NO. 22-09: TAX REFUND – ERROR ON TAX ROLL**

Mr. Lyon presented the following:

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

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

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

TOWN OF ARCADIA

2008 Tax Roll  
Account No. 68113-00-814517  
Assessed to: Keith Garnsey  
Total Tax Difference: \$479.99 Total County Tax Difference: \$100.76  
Refund: \$479.99

TOWN OF HURON

2005 Tax Roll  
Account No. 72117-06-384884  
Assessed to: John & Dolores Salerno  
Total Tax Difference: \$64.92 Total County Tax Difference: \$40.17  
Refund: \$64.92

TOWN OF HURON

2006 Tax Roll  
Account No. 72117-06-384884  
Assessed to: John & Dolores Salerno  
Total Tax Difference: \$64.69 Total County Tax Difference: \$41.21  
Refund: \$64.69

TOWN OF HURON

2007 Tax Roll  
Account No. 72117-06-384884  
Assessed to: John & Dolores Salerno  
Total Tax Difference: \$66.93 Total County Tax Difference: \$43.02  
Refund: \$66.93

TOWN OF MACEDON

2006 Tax Roll  
Account No. 61113-00-654439  
Assessed to: Bryan & Cheryl Spinosa  
Total Tax Difference: \$4,861.86 Total County Tax Difference: \$917.93

Refund: \$4,861.86

and be it further

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

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

**RESOLUTION NO. 23-09: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS**

Mr. Lyon presented the following:

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

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

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

TOWN OF ARCADIA

2007 Tax Roll

Account No.: 68113-00-814517

Assessed to: Keith Garnsey

Corrected Total Tax: \$633.93

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

**RESOLUTION NO. 24-09: ACCEPTING BIDS FOR CERTAIN REAL PROPERTY PARCELS**

Mr. Lyon presented the following:

WHEREAS, pursuant to Resolution No. 297-06 certain properties acquired by the County by tax deed were sold at public auction sale held May 12, 2006; and

WHEREAS, said property located at 3050 Route 88 in the Town of Arcadia, Tax Map #68113-12-804621; was offered again pursuant to Resolution No. 420-06, but property was not sold; and

WHEREAS, said property was authorized to be offered to adjacent land owners per Resolution No. 701-08; and

WHEREAS, the following bids were received:

TOWN OF ARCADIA	NAME	BID
TM # 68113-12-804621	Raymond Arcieri	\$2,100.00
	Mr. & Mrs. Niles	\$1,066.83

now, therefore, be it

RESOLVED, that it is the determination of the Board of Supervisors that it is in the best interest of the County to accept the following bid listed below and such bid is hereby approved and accepted. The Chairman of the Board of Supervisors is hereby authorized and directed to execute a quit-claim deed for each said parcel, subject to approval of the form of the deed by the County Attorney, and the receipt of the payment required by the terms and conditions of sale.

TOWN OF ARCADIA	NAME	BID
TM # 68113-12-804621	Raymond Arcieri	\$2,100.00

and be it further

RESOLVED, that the Wayne County Treasurer is hereby directed to return the Bid

deposits of all unsuccessful Bidders.

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

**RESOLUTION NO. 25-09: AUTHORIZING EXECUTION AND SUBMISSION OF 2009 ALTERNATIVES TO INCARCERATION SERVICE PLAN UPDATE FOR PRE-TRIAL RELEASE PROGRAM AND AUTHORIZING PROGRAM FUNDING AGREEMENT WITH NEW YORK STATE DIVISION OF PROBATION ALTERNATIVE**

Mrs. Bender 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 2009 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, 2009 to December 31, 2009, 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 2009 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 2009 through December 2009 shall be made to Wayne Pre-Trial Services, Inc.

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

**RESOLUTION NO. 26-09: AUTHORIZING 2009 LEGAL SERVICES CONTRACT WITH THE LEGAL AID SOCIETY OF WAYNE COUNTY, INC.**

Mrs. Bender 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, 2009, to December 31, 2009; 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 2009 budget, payable in equal monthly installments of \$16,471.17, and shall provide rent-free office space in a County office building.

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

**RESOLUTION NO. 27-09: AUTHORIZATION TO ACCEPT GRANT FROM NYS DCJS LEGISLATIVE GRANT AWARD IN THE AMOUNT OF \$100,000**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of \$100,000 for general operation and program cost for the Sheriff's Office from the NYS Division of Criminal Justice Services State Budget for 2008-2009 Project ID LG08-1528-00, DCJS No.

LG08088746.

RESOLVED, that the grant in the amount of \$100,000 is accepted for general operation and program costs, and be it further

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. 28-09: AUTHORIZATION TO ACCEPT GRANT FROM NYS GOVERNOR'S TRAFFIC SAFETY COMMITTEE AND MODIFY BUDGET**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of \$3,600 in overtime funds from the Governor's Traffic Safety Community for participation in the Buckle-Up new York Program (BUNY) (October 1, 2008 – September 30, 2009); now, therefore, be it.

RESOLVED, that the grant in the amount of \$3,600 is accepted for overtime funds; and be it further

RESOLVED, that the Chairman of the Board of Supervisors 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; and be it further

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

Increase appropriations A31141.51911 (BUNY Overtime)	\$3,600
Increase Revenue A31140.43370 (Traffic Safety)	\$3,600

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

**RESOLUTION NO. 29-09: AUTHORIZATION TO PARTICIPATE IN RURAL COOPERATIVE TRAFFIC SAFETY INITIATIVE WITH THE NYS SHERIFFS' ASSOCIATION FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM**

Mrs. Bender presented the following:

WHEREAS, the NYS has been awarded a Cooperative Rural Traffic Safety Initiative from the NYS Governor's Traffic Safety Committee for the purpose of addressing Wayne County's Specific Traffic problems; and

WHEREAS, Wayne County will receive \$20,000 for overtime for this initiative period (October 1, 2008 through September 30, 2009); now, therefore, be it

RESOLVED, that the grant in the amount of \$20,000 is accepted for overtime funds, and be it further

RESOLVED, that the Chairman of the Board of Supervisors 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; and be it further

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

Increase Appropriations A31141.51912 (STEP Overtime)	\$20,000
Increase Revenue A31140.43370 (Traffic Safety)	\$20,000

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

**RESOLUTION NO. 30-09: AUTHORIZE CONTRACT WITH MONROE COUNTY FOR REGIONAL CRIME LABORATORY SERVICES**

Mrs. Bender presented the following:

WHEREAS, the Chairman of the Wayne County Board of Supervisors and Wayne County and Wayne County Sheriff are 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 Regional Crime Laboratory Services for the period January 1, 2009 through December 31, 2009 at a cost of \$67,000.

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

**RESOLUTION NO. 31-09: AUTHORIZATION TO PARTICIPATE IN EMERGENCY OPERATIONS CENTER (EOC) GRANT PROGRAM**

Mrs. Bender presented the following:

WHEREAS, the U.S. Department of Homeland Security Fiscal Year 2009 Emergency Operations Center (EOC) Grant Program has made available \$12,357,500 in grant funding for FY 2009 with a 25% match requirement; and

WHEREAS, Wayne County is desirous of constructing a new EOC at the former Wayne County Nursing Home; now, therefore, be it

RESOLVED to authorize the Director of Emergency Management to apply for said grant.

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

**RESOLUTION NO. 32-09: AUTHORIZATION TO EXECUTE AGREEMENT WITH MEDEX BILLING, INC. FOR WAYNE COUNTY ADVANCED LIFE SUPPORT SERVICES**

Mrs. Bender presented the following:

WHEREAS, since the inception of the County department in 2002, Wayne County Advanced Life Support Services has contracted with MedEx Billing, Inc. of LeRoy, NY, for the provision of insurance and patient billing services on behalf of the County, and

WHEREAS, the service provided by MedEx has, to date, been professional, competent, and competitively priced; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an agreement with MedEx Billing, Inc., subject to the approval of the County Attorney as to form and content, for the continued provision of billing services, at rates not to exceed those specified below, during a contract period of three years, beginning January 1, 2009:

Year one: \$33.50 per prehospital care report (PER) submitted

Year two: \$33.50 per PCR

Year three: \$33.75 per PCR

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

**RESOLUTION NO. 33-09: AUTHORIZATION TO UPGRADE RADIO CAPABILITIES AT SEMO FOR E-911 COMMUNICATIONS**

Mrs. Bender presented the following:

WHEREAS, Wayne County 911 maintains its back-up 911 center at the State Emergency Management Office (SEMO) in Newark; and

WHEREAS, certain public safety radio system work is needed to achieve site independence, whereby the radio system at SEMO has the capability of operating independently from the primary 911 center; and

WHEREAS, the radio infrastructure to be upgraded was specified and installed by Finger Lakes Communications in Auburn, NY, which necessitates that Finger lakes perform the upgrades, with such upgrades to include the installation of voting comparators at SEMO, as well as upgrading the wireless canopy system that links communications towers with dispatch sites; and

WHEREAS, the upgrades to be installed will be consistent with the goals of the public safety radio project to be undertaken in the months ahead; now, therefore, be it

RESOLVED, that the County has determined that regarding this project, particular services are required which uniquely serve the public interest for which there is no substantial equivalent and which are in fact only available from one sole source; and be it further

RESOLVED, that Finger Lakes Communications, of Auburn, NY, shall be authorized to install certain radio system upgrades at (or for) the SEMO facility, at a cost not to exceed \$133,072, and that the Chairman of the Board of Supervisors is hereby authorized to enter into an Agreement with Finger Lakes Communications to provide said services subject to the approval of the County Attorney; and be it further

RESOLVED, that funding for said upgrades shall be from the E-911 project account H1935, with such expenses eligible for reimbursement through the NY State Local Enhanced Wireless Program.

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

**RESOLUTION NO. 34-09: AUTHORIZATION TO SEEK PROPOSALS FOR FIRE TRAINING FACILITY IMPROVEMENTS**

Mr. LeRoy presented the following:

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

RESOLVED, that the Superintendent of Buildings and Grounds, in conjunction with the Fire Coordinator, are authorized to seek proposals for engineering services needed to prepare bid specifications as well as provide plans suitable for securing a Building Permit for modifications to the Wayne County Fire Training Structure.

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

**RESOLUTION NO. 35-09: AUTHORIZATION TO PROCESS INTERDEPARTMENTAL CHARGEBACKS FOR ADVANCE PAYMENTS FOR MAINTENANCE AND REPAIRS FOR COUNTY DEPARTMENTS FOR 2009**

Mr. LeRoy presented the following:

WHEREAS, Wayne County Departments were notified of the amount to include in their 2009 Budget line item .4438 (Maintenance/Repair); now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to make an interdepartmental charge backs to the departments listed below for advance payment for the full amount from line item .4438 (Maintenance/Repair) for the year 2009.

County Administrator	3,960.00	Personnel	11,808.00
Board of Elections	10,650.00	Planning	8,064.00
Board of Supervisors	28,014.00	Printing	5,106.00
County Attorney	9,114.00	Probation	40,242.00
County Clerk	51,564.00	Public Defender	15,930.00
County Veterans	5,550.00	Publicity & Tourism	2,538.00
Information Technology	33,858.00	Real Property Tax	10,470.00
District Attorney	25,488.00	Solid Waste	6,228.00
Empire Zone	972.00	Stop DWI	4,932.00
Fire Coordinator	4,260.00	Treasurer	13,752.00
Historian	9,216.00	Motor Vehicles	8,976.00

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

**RESOLUTION NO. 36-09: AUTHORIZATION TO RENEW PARKING LOT LEASE AGREEMENT WITH NYSEG**

Mr. LeRoy presented the following:

WHEREAS, the lease with NYSEG for parking in their lot located between Williams Street and Geneva Street expired on December 31<sup>st</sup>, 2008; and

WHEREAS, the price of \$3,500.00 has not changed; 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; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to pay said lease from the 2009 Buildings and Grounds Budget.

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

**RESOLUTION NO. 37-09: AUTHORIZING PAYMENT OF 2009 APPROPRIATION FOR WAYNE COUNTY SOIL AND WATER CONSERVATION DISTRICT**

Mr. LeRoy presented the following:

WHEREAS, the sum of \$184,475.00 was appropriated in the 2009 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.

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

**RESOLUTION NO. 38-09: AUTHORIZATION TO ENTER INTO INDEMNIFICATION AGREEMENT BETWEEN WAYNE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR SPECIAL HAULING PERMITS, DIVISIBLE LOAD OVERWEIGHT PERMITS, AND/OR RESTRICTED VEHICLE PERMITS**

Mr. LeRoy presented the following:

WHEREAS, that pursuant to the provisions of Part 154, Title 17, Official Compilation of Codes, Rules and Regulations of the State of New York, by and between the People of the State of New York, all municipal subdivisions thereof except the party of the second part, and the Commissioner of the New York State Department of Transportation, the New York State Thruway Authority, the State Bridge Authority and their officials, officers, agents and employees, parties of the first part, acting through and between the Commissioner of Transportation or his designee ("DOT") and the County of Wayne, party of the second part; and

WHEREAS, the County of Wayne intends to apply for and receive permits pursuant to subpart 154-1 and/or subpart 154-2 of Title 17 of the official compilation of codes, rules and regulations of the State of New York, from the Department of Transportation for the operation of certain of its vehicles; and

WHEREAS, the Commissioner of Transportation has determined that this agreement will protect the interests of the People of the State of New York to the same extent as protective liability insurance coverage; now, therefore, be it

RESOLVED, that the County of Wayne, in lieu of obtaining protective liability insurance coverage with respect to such permits, hereby agrees to assume the risk of, and to release, indemnify, protect, defend and save harmless the parties of the first part and/or all employees of the party of the first part from and against any and all claims, demands, actions, settlements, awards and judgments for such loss, injury, death or damage and any cost or expense in connection therewith caused by or arising out of the issuance and/or use of such permits; and be it further

RESOLVED, that the party of the second part hereby agrees to indemnify and save harmless the parties of the first part and/or all employees of the parties of the first part from all liability of claims, demands and costs for or arising out of the issuance and/or use of such permits or the acceptance of such permits, whether caused by negligence of the part of the second part or by anyone acting by, through or for the party of the second part or caused by

negligence, including omissions and supervisory acts, of the parties of the first part; and be it further

RESOLVED, that any payments required by the foregoing will be guaranteed by the full faith and credit of the party of the second part, or its districts, as applicable, and will be paid out of current budgeted funds, or if insufficient, from its liability and casualty reserve fund or from the proceeds of bonds which current laws permit the party of the second part to issue to pay claims against it.

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

**RESOLUTION NO. 39-09: AUTHORIZATION FOR THE ONTARIO-WAYNE STORMWATER COALITION FEASIBILITY STUDY OF JOINT INSPECTION AND LONG-TERM FUNDING**

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Board of Supervisors has entered into an Intermunicipal Agreement among the Ontario-Wayne Counties Stormwater Coalition members of the Towns of Farmington, 1000 County Road 8, Farmington, New York 14425; Macedon, 32 Main Street Macedon, New York 14502; Ontario, 750 1850 Ridge Road Ontario, New York 14519, Victor, 85 East Main Street, Victor, New York 14564'; Walworth, 3600 Lorraine Drive, Walworth, New York 14568, hereinafter referred to as "Towns", the Coalition members of the Village of Macedon, 81 Main Street, Macedon, New York 14502, Victor, 60 East Main Street, Victor, New York 14564, hereinafter referred to as "Villages"; Ontario County on behalf of its Department of Public Works with offices at 2962 County Road 48. Canandaigua, New York 14424; and as authorized by Article 5-G of the General Municipal Law; and

WHEREAS, the Phase II Federal Stormwater Regulations require that regulated municipal separate storm sewer system operators comply with the SPDES General Permit for Stormwater Discharges (General Permit 0-08-002) issued by the New York State Department of Environmental Conservation; and

WHEREAS, the municipalities recognize that, because watersheds and separate storm sewer systems cross municipal and county boundaries and because there are opportunities to save money and resources by working collaboratively, the municipalities should work cooperatively to comply with the requirements of Phase II Federal Stormwater Regulations; and

WHEREAS, the Ontario-Wayne Stormwater Coalition started holding meetings beginning in 2004 to identify and analyze options for pooling resources to meet the requirements of the Phase II Federal Stormwater Regulations; and

WHEREAS, the work of the Ontario-Wayne Stormwater Coalition shall be to work collaboratively to (among other goals):

- a. Facilitate the use of existing or future resources, organization, and programs for the provisions of the services necessary to comply with the Phase II Regulations
- b. Research and implement an appropriate funding mechanism to meet the financial needs beyond 2013 resulting from compliance with the Phase II Federal Stormwater Regulations; and now, therefore, be it

RESOLVED that the Wayne County Board of Supervisors will sponsor an application for funds, to be known as the Ontario-Wayne Stormwater Coalition Feasibility Study of Joint Inspection and Long-Term Funding to be submitted the New York Department of State; and be it further

RESOLVED, the Wayne County Board of Supervisors authorizes the application for funds in the amount of \$50,000, the 10% required local share of which will be paid for by the Ontario-Wayne Stormwater Coalition from dues which the County contributes to on an annual basis; and be it further

RESOLVED, that the Macedon Town Board has agreed to act as Lead Applicant for a 2008-2009 Local Government Efficiency Program High Priority Planning Grant Project proposal; and be it further

RESOLVED, that the Scott Allen, Code Enforcement Officer/Stormwater Management

Officer of the Town of Macedon, has agreed to execute all financial and/or administrative processes relating to the grant program; and be it further

RESOLVED, that the Towns of Farmington, Macedon, Ontario, Victor, and Walworth; Villages of Macedon and Victor; and Ontario County are co-applicants within this project.

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

**RESOLUTION NO. 40-09: AUTHORIZATION TO CREATE/ABOLISH POSITIONS IN THE HIGHWAY DEPARTMENT**

Mr. LeRoy presented the following:

WHEREAS, Wayne County has been paying differential pay to an active HEO since the retirement of a Construction Foreman; and

WHEREAS, there is a continuous need for (2) Construction Foreman in the county to be in charge of tree removals, capital projects, large drainage/culvert pipes, and asphalt paving projects; and

WHEREAS, there is only one authorized Construction Foreman in the 2009 budget; and

WHEREAS, the County has been paying out of title pay in order to perform the functions of the position; and

WHEREAS, it is more appropriate to alter the authorized position in the budget to reflect this on-going assignment; now, therefore, be it

RESOLVED, that one HEO position in the Highway Department Budget is hereby abolished and one additional Construction Foreman is created.

Mr. Plant 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. 41-09: APPROPRIATION OF COUNTY ROAD FUND MONIES FOR 2009**

Mr. LeRoy presented the following:

WHEREAS, the County Superintendent of Highways has recommended the following expenditures from the County Road Fund Monies during the year 2009

\$ 256,744 for the purpose of Administration  
\$ 151,777 for the purpose of Engineering  
\$ 3,555,278 for the purpose of Maintenance of Roads & Bridges  
\$ 581,053 for the purpose of Road Striping & Sign Maintenance  
\$ 1,906,309 for the purpose of Snow & Ice Control

now, therefore, be it

RESOLVED, that the recommendations of the County Superintendent are hereby approved and the following funds are hereby appropriated from the County Road Funds:

\$ 256,744 to Account No. D5010 - Administrative  
\$ 151,777 to Account No. D5020 - Engineering  
\$ 3,555,278 to Account No. D5110 - Maintenance of Roads & Bridges  
\$ 581,053 to Account No. D5111 - Road Striping & Sign Maintenance  
\$ 1,906,309 to Account No. D5142 - Snow & Ice Control

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

**RESOLUTION NO. 42-09: AUTHORIZATION TO AMEND RESOLUTION NO'S. 49-08 AND 598-08 "AUTHORIZATION TO ADVERTISE FOR THE REMOVAL OF UNDERGROUND TANKS"**

Mr. LeRoy presented the following:

WHEREAS, it is desirable to combine the specifications and required work into one bid document for the removal of all unnecessary, underground tanks on County Property; and

WHEREAS, the Superintendent of Highways and Superintendent of Buildings and Grounds have previously been authorized to advertise for bids for the removal of six underground tanks, located in various county locations, with the previous adoption of

Resolution No's. 49-08 and 598-08; and

WHEREAS, there are two additional, underground fuel oil tanks, located at the Old Nursing Home Facility, that need removal and should be included in the bid specifications for this project; now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bids for the removal of eight (8) underground fuel tanks that are no longer needed, in accordance with specifications prepared by the Highway Department and Buildings and Grounds Superintendent and subject to the County Attorney's approval as to form and content; and be further

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

RESOLVED, that Resolution No. 598-08 is hereby amended.

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

**RESOLUTION NO. 43-09: AUTHORIZATION TO OBTAIN PERMANENT EASEMENT FROM LINDA LEHR FOR THE WEST WALWORTH HAMLET PROJECT**

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department will be performing a reconstruction project in the hamlet of West Walworth (D51122.52611) during the 2009 season; and

WHEREAS, the new drainage system will require a permanent easement form Linda Lehr (Tax Map # 61114-11-616724) to allow the stormwater to outlet into a nearby drainage channel; and

WHEREAS, the easement has been prepared by the Wayne County Highway Department and the easement will be granted to the County at a cost of \$1.00; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors, subject to the approval of the County Attorney is hereby authorized to execute all documents necessary to convey said easement.

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

**RESOLUTION NO. 44-09: AUTHORIZING AGREEMENT WITH COOPERATIVE EXTENSION ASSOCIATION FOR PAYMENT OF 2009 APPROPRIATIONS**

Mr. Spickerman presented the following:

WHEREAS, the sum of \$424,647 was appropriated in the 2009 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.

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

**RESOLUTION NO. 45-09: AUTHORIZATION TO PAY WAYNE COUNTY FEDERATION OF SPORTSMEN'S CLUB 2009 APPROPRIATIONS**

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Board of Supervisors has budgeted 2009 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 \$1,377 for the 2009 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 Mrs. Crane. Upon roll call, adopted.

**RESOLUTION NO. 46-09: AUTHORIZING AGREEMENT WITH WAYNE COUNTY INDUSTRIAL DEVELOPMENT AGENCY ("IDA") FOR PAYMENT OF 2009 APPROPRIATION**

Mr. Spickerman presented the following:

WHEREAS, the sum of \$257,400.00 was appropriated in the 2009 County Budget for the support of the Wayne County Industrial Development Agency ("IDA"); now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign an agreement, subject to the County Attorney's approval as to form and content, with the Wayne County IDA providing for the payment of such appropriation in equal quarterly installments of \$64,350.00, and requiring the corporation to file a verified account of the disbursements of such funds together with a refund of any unused amount.

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

**RESOLUTION NO. 47-09: APPROVING PAYMENT OF 2009 APPROPRIATIONS TO GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL**

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne has appropriated the sum of \$10,469 as its share of the 2009 operating funds of the Genesee/Finger Lakes Regional Planning Council; now, therefore, be it

RESOLVED, that the payment of \$10,469 to the Genesee/Finger Lakes Regional Planning Council for 2009 is hereby approved.

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

**RESOLUTION NO. 48-09: RESOLUTION APPOINTING MEMBERS TO THE EMPIRE ZONE ADMINISTRATIVE BOARD**

Mr. Spickerman presented the following:

WHEREAS, Wayne County received designation of an Empire Zone and Resolution NO. 833-02 established the Empire Zone Administrative Board; and

WHEREAS, several members have terms expiring; now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors hereby appoints for following to the Empire Zone Administrative Board

Supervisor Jolene Bender, Chairperson to the EZAB

Michael Jankowski, Vice-Chairman;

Peter Blandino, Board Member

Robert Schick, Board Member

and be it further

RESOLVED, that above appointments to the Empire Zone Administrative Board are for a three year term to expire December 31<sup>st</sup>, 2011.

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

**RESOLUTION NO. 49-09: RESOLUTION AUTHORIZING INDUSTRIAL SITE DEVELOPMENT FUNDING**

Mr. Spickerman presented the following:

WHEREAS, Wayne County has established a fund to be used for industrial site development which requires matching funds from the local municipality and the "developer" of the site; and

WHEREAS, as part of its Strategic Plan for Economic Development, the Empire Zone development plan for regional and Wayne County industrial clusters, renewable energy under the Wayne Industrial Sustainability Park has been given a high priority; and

WHEREAS, the first pod of WISP is growing in the Town of Ontario and the Wayne Industrial Development Agency has been awarded a grant through Senator Michael Nozzolio via New York State's Empire State Development in the amount of \$300,000 to assist in building the road and installing utilities; now; therefore, be it

RESOLVED, that, contingent upon participation from the Town of Ontario in the amount of \$100,000, provided through cash or in-kind services; \$300,000 from the IDA provided through the previously noted grant; the Wayne County Board of Supervisors authorizes funding, in cash, not to exceed \$100,000, to continue expansion of infrastructure at the WISP, including extension of the roadway, water and sewer lines, power and possibly fiber optics; and be it further

RESOLVED, that a memorandum outlining the process; budget; responsibilities of the town, county and IDA; and the timeline be executed, subject to approval by the County Attorney.

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

**RESOLUTION NO. 50-09: RESOLUTION URGING INDUSTRIAL DEVELOPMENT LEGISLATION**

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Industrial Development Agency was established in 1969 under the NYS Industrial Development Agency Act (Chapter 1030 of the Laws of 1969) and has served for forty years as the lead for economic development in Wayne County; and

WHEREAS, New York State currently is debating legislation that would severely impact the ability of Industrial Development Agencies across the State from doing the job they were created to do; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors strongly opposes limiting the abilities of county-wide industrial development agencies; requiring all IDA assisted projects to meet prevailing wage requirements; and setting the board make-up for IDAs to include members from local government, school boards, organized labor and environmental organizations; and be it further

RESOLVED, that the Wayne County Board of Supervisors strongly supports the passage of legislation giving county IDAs permanent authority to finance civic facilities projects with a volume cap of \$50 million and that reform initiated through the Public Authorities Accountability Act to include provisions to secure confidentiality; and be it further

RESOLVED, that upon passage of this resolution, the Clerk of the Board shall distribute certified copies to: Governor David Patterson; State Senator Michael Nozzolio; State Assemblyman Robert Oaks; the New York State Economic Development Council; the New York State Association of Counties; the Inter-County Association of Western New York; and

Dennis Mullen, Upstate Director for Empire State Development.

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

**RESOLUTION NO. 51-09: AUTHORIZE JOINT MUNICIPAL IMPROVEMENT PROJECT FOR THE VILLAGE OF SODUS POINT**

Mr. Spickerman presented the following:

WHEREAS, pursuant to Resolution No. 232(73), as amended by Resolution No. 263(73) and Resolution No. 291(73), the Board of Supervisors has established a Joint Municipal Improvement Project Fund which provides County funding for a portion of the cost of approved Town or Village improvement projects for development of public facilities related to retail business activity; and

WHEREAS, the Village of Sodus Point has requested the County to provide funding from the Joint Municipal Improvement Project for improvements to the gateway into their central business district to include the construction of a new sidewalk as an extension to the greenway path installed by Wayne County in 2007; grading, seeding and landscaping of areas adjacent to the sidewalk; construction of a minimum of 30 new municipal parking spaces adjacent to Oscar Fuerst Field and the new sidewalk; installation of a new Village Clock and a new informational kiosk in Willow Park; and

WHEREAS, this project is identified in Sodus Point's newly adopted Downtown Vision Plan and it is also fully consistent with the Village of Sodus Point's Local Waterfront Revitalization Plan; and

WHEREAS, the total project cost is estimated to be \$94,100 with the Village of Sodus Point contributing \$62,733.33; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes funding from the Joint Municipal Improvement Project for the Village of Sodus Point in the amount of one-third the total project cost or \$31,366.67, whichever is less.

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

**RESOLUTION NO. 52-09: 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 \$944,371 as its share of the 2009 operating funds of the Western Finger Lakes Solid Waste Management Authority; now, therefore, be it

RESOLVED, that the payments shall be made in quarterly installments of \$236,092.75 each and the first payment shall be made in January of 2009.

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

**RESOLUTION NO. 53-09: APPOINTMENT TO THE WESTERN FINGER LAKES SOLID WASTE AUTHORITY**

Mr. Spickerman presented the following:

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

Gary Borkhuis  
4040 County Line Road  
Macedon, New York 14502

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

**RESOLUTION NO. 54-09: AUTHORIZE COUNTY TREASURER TO DISBURSE SNOWMOBILE TRAILS FUNDING TO SNOWMOBILE CLUBS**

Mr. Spickerman presented the following:

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

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

WHEREAS, New York State has provided Wayne County with a State Aid Voucher to apply for 70 percent reimbursement of the above aid; now, therefore, be it

RESOLVED, that the Board of Supervisors accepts the 2008-2009 grant awarded by the NYS Snowmobile Grant-in-Aid program in the amount of \$61,275; and be it further

RESOLVED that the Treasurer is authorized to sign the voucher and the Planning Department is authorized to submit that voucher to the State for 70 percent reimbursement; and be it further

RESOLVED that upon receipt of reimbursement in the amount of \$42,892.50 (70%), the Wayne County Treasurer is hereby authorized to disburse those grant funds in the following manner:

Lakeshore Snow Devils	\$13,147.00
Old Erie Riders, Inc.	\$3,150.00
Canalton Snowmobilers, Inc.	\$7,535.50
Webster Ridge Runners	\$5,125.00
Williamson Drift Riders	\$13,935.00

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

**RESOLUTION NO. 55-09: AUTHORIZATION FOR OUTDOOR RECREATION COORDINATOR TO ATTEND TRADESHOWS**

Mr. Spickerman presented the following:

WHEREAS, Wayne County Tourism needs to be represented at the Eastern Fishing & Outdoor Exposition in Worcester, Massachusetts (February 5-8, 2009), The Springfield Sportsmen's Show in Springfield, Massachusetts (February 19-22, 2009) and The Cleveland Sport, Travel & Outdoor Show in Cleveland, Ohio (March 18-22, 2009); now, therefore, be it

RESOLVED, that the Outdoor Recreation Coordinator is hereby authorized to attend the listed tradeshow at a cost estimate of \$ 1,500.00.

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

**RESOLUTION NO. 56-09: AUTHORIZATION TO ACCEPT PRINT BID FOR 2009 TRAVEL GUIDE**

Mr. Spickerman presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for printing of the Wayne County Travel Guide; and

WHEREAS, the following bids were received and reviewed by the Wayne County Director of Promotion and Tourism and the Planning Standing Committee of the Wayne County Board of Supervisors:

Bid Opening – January 6, 2009 - 4:00 pm

<b>Bidder</b>	<b>Quantity</b>	<b>70,000</b>	<b>75,000</b>	<b>80,000</b>
Vanguard Printing LLC PO Box 4560, Ithaca, NY 14852-4560		\$29,259	\$31,029	\$32,399
Eastwood Litho, Inc. PO Box 131, 4020 New Court Avenue Syracuse, NY 13206		\$32,086	\$33,931	\$35,842
Quartier Printing 5795 Bridge St, East Syracuse, NY 13057		\$46,714	\$49,927	\$53,095

now, therefore, be it

RESOLVED, that the bid submitted by Vanguard Printing LLC. for 80,000 units in accordance with the specifications at a price of \$32,399 in accordance with the 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 Eastwood Litho, Inc, in accordance with the bid acceptance.

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

**RESOLUTION NO. 57-09: AUTHORIZATION FOR DIRECTOR OF TOURISM AND PROMOTION TO ATTEND TRADESHOW**

Mr. Spickerman presented the following:

WHEREAS, Finger Lakes Tourism Alliance is purchasing tradeshow space for the AAA Southern New England Marketplace in Foxborough, Massachusetts March 5-9, 2009 and is seeking staffing which would benefit Wayne County; now, therefore, be it

RESOLVED, that the Director of Wayne County Office of Tourism and Promotion is hereby authorized to attend the tradeshow in Foxborough, Massachusetts on March 5-9, 2009, at a cost estimate of \$670.00.

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

**RESOLUTION NO. 58-09: AUTHORIZATION TO PAY WAYNE COUNTY HISTORICAL SOCIETY AND MUSEUM 2009 APPROPRIATIONS**

Mrs. Collier presented the following:

WHEREAS, the Wayne County Board of Supervisors has budgeted 2009 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 2009, for the 2009 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. Kelsch moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

**RESOLUTION NO. 59-09: RESOLUTION AUTHORIZING CONTRACT WITH JACK VENESKY AND ASSOCIATES FOR CONSULTING SERVICES**

Mr. Lauderdale presented the following:

WHEREAS, Wayne County desires a review of the Certified Home Health Agency to include financial projections for 2009 and 2010 be conducted; and

WHEREAS, Jack Venesky and Associates is the firm utilized by the CHHA to annually review financial information on the county's behalf; and

WHEREAS, the firm has submitted a proposal outlining the scope of work and the related fee to the County Administrator; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute a contract with Jack Venesky and Associates for consulting services, subject to the review and approval of the County Attorney, for a cost not to exceed \$9,500; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2009 Wayne County Budget to reflect the following changes:

A4019-WAYNE COMMUNITY NURSING CARE:

\$9,500.00 to .54000 Contractual Expense

\$9,500.00 to .41615 Other Third Party Payee

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

**RESOLUTION NO. 60-09: RESCIND RESOLUTION NO. 883-08 LOCAL LAW PROVIDING FOR CHANGES IN SALARIES OF CERTAIN COUNTY OFFICERS DURING THEIR TERM OF OFFICE (2009)**

Mrs. Collier presented the following:

WHEREAS, Resolution No. 883-08 was adopted on December 16, 2008 and provided for the enactment of a local law for changes in salaries to certain county officers during their term in office (2009); and

WHEREAS, a public hearing for said local law was conducted on December 16, 2008; and

WHEREAS, it has been discovered that statutory notice requirements were not complied with regarding said public hearing; now, therefore, be it

RESOLVED, that said Resolution No. 883-08 be and is hereby rescinded in its entirety.

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

**RESOLUTION NO. 61-09: SETTING DATE FOR PUBLIC HEARING ON LOCAL LAW PROVIDING FOR CHANGES IN SALARIES OF CERTAIN COUNTY OFFICERS DURING THEIR TERM OF OFFICE (2009)**

Mr. Lauderdale presented the following:

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

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

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on Thursday, February 19, 2009 at 9:15 a.m. in the Supervisors' Chambers in the County Court House, Lyons, New York, on the following proposed local law:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 14. An incumbent holding a position subject to the provisions of Sections 1 through 13 of this local law at the time during the period from the effective date of the salary increase for such position until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefore, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.

SECTION 15. If any clause, sentence, paragraph, part or provision of this local law shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part or provision thereof directly involved in the controversy in which such judgment is rendered.

SECTION 16. This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof, in the manner provided by law.

SECTION 17. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2009.

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

**RESOLUTION NO. 62-09: MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF WAYNE AND THE PROFESSIONAL SERVICES WORKERS 81-382 IUE-CWA**

Mrs. Collier presented the following:

WHEREAS, Child protective case workers, who are members of the Professional services workers 81-382 (IUE-CWA), would be able to perform their job duties more efficiently if they were provided cell phones by the County; and

WHEREAS, Wayne County and IUE-CWA have negotiated a Memorandum of Agreement

to provide each child protective case worker with a cell phone (fifteen (15) cell phones) to be used for official County business; and

WHEREAS, the County Administrator has reviewed the Memorandum of Agreement with the Government Operations Committee and the Board of Supervisors; now, therefore, be it

RESOLVED, that the Memorandum of Agreement is hereby approved and ratified by the Board of Supervisors and the Chairman of the Board of Supervisors and the County Administrator hereby authorized and directed to execute the Memorandum of Agreement on behalf of the County.

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

**RESOLUTION NO. 63-09: AUTHORIZATION TO ACCEPT HOFFMAN FOUNDATION GRANT AND AMEND 2009 BUDGET**

Mr. Lauderdale presented the following:

WHEREAS, the County Historian has applied for and received approval for a \$2,000.00 Hoffman Foundation Grant to continue the archiving of County historical related information; now, therefore, be it

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

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

A7510-COUNTY HISTORIAN:

\$2,000.00 to .54484 Hoffman Foundation

\$2,000.00 to .42090 Hoffman Foundation

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

**RESOLUTION NO. 64-09: AUTHORIZATION TO AMEND 2009 BUDGET TO CARRY OVER GRANTS FOR HOFFMAN FOUNDATION AND PRESERVE NY GRANTS**

Mrs. Collier presented the following:

WHEREAS, funds have been received by Wayne County from a Hoffman Foundation Grant and a Preserve NY Grant in 2008 to provide funding for necessary Historical projects; and

WHEREAS, a balance of \$2,500.00 in Hoffman Foundation Funds and \$800.00 in Preserve NY funds is available as of December 31, 2008 which can be used in 2009 to complete the projects; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to transfer \$3,300.00 from appropriated fund balance to the following accounts:

A7510-COUNTY HISTORIAN:

\$2,500.00 to .54484 Hoffman Foundation

\$ 800.00 to .54476 Preserve NY

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

**RESOLUTION NO. 65-09: AUTHORIZATION TO SUBMIT GRANT APPLICATIONS TO THE NEW YORK STATE DEPARTMENT OF EDUCATION**

Mr. Lauderdale presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute applications on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the New York State Department of Education for the following:

- 1) To purchase a digital indexing software system for the office of the County Clerk
- 2) To fund a consultant's review and drafting of a disaster management plan for Vital records of the County

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

**RESOLUTION NO. 66-09: AUTHORIZATION FOR THE COUNTY CLERK TO EXECUTE A FINGERPRINTING USE AND DISSEMINATION AGREEMENT WITH THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES**

Mrs. Collier presented the following:

WHEREAS, Federal Law has mandated the adoption of Real ID standards for the issuance of Driver's Licenses in the United States; and

WHEREAS, the New York State Department of Motor Vehicles is charged with implementing these standards and as a component of Such standards all County and State employees of the Department of Motor vehicles that are involved in the issuance of Enhanced drivers licenses are required to undergo a Criminal history background check; and

WHEREAS, that in order for the County Clerk to request and review background check information a use and dissemination agreement is required to be on file with the department of Criminal Justice Services; now, therefore, be it

RESOLVED, that the County Clerk is authorized to execute a use and dissemination agreement between the Department of Criminal Justice Services and the Wayne County Clerk.

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

**RESOLUTION NO. 67-09: AUTHORIZE THE BOARD OF ELECTIONS TO RENT A TRUCK TO DELIVER THE NEW VOTING MACHINES FOR USE AT ELECTION TIME**

Mr. Lauderdale presented the following:

WHEREAS, the County has responsibility for the voting machines and are storing them at a central location in the County, and it is necessary to deliver the voting machines to the polling places and then return them to the storage site; and

WHEREAS, air-ride trucks with a hydraulic lift gate are required for transporting the voting machines and because the County does not possess such trucks; now, therefore, be it

RESOLVED, that the Board of Elections be authorized to rent a truck with the required features.

A1450 - Board of Election - charge to Election Expense .54421.

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

**RESOLUTION NO. 68-09: AUTHORIZATION TO APPOINT A COUNTY CUSTODIAN FOR WAYNE COUNTY BOARD OF ELECTIONS**

Mrs. Collier presented the following:

RESOLVED, that the Wayne County Election Commissioners are hereby authorized to appoint a County Custodian to instruct other Custodians on proper setup, repair of lever voting machines and provide assistance at the time of any Election in 2009, including the re-cavassing of the voting machines; and be it further

RESOLVED, that County Custodian is to be paid \$200.00 per election plus mileage, with payment to be expended out of Account No. A1450.4421 (Election Expense).

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

**RESOLUTION NO. 69-09: AUTHORIZATION TO PAY CUSTODIANS FOR THE WAYNE COUNTY BOARD OF ELECTIONS**

Mr. Lauderdale presented the following:

RESOLVED, that the Wayne County Election Commissioners are hereby authorized to pay two (2) machine custodians (one democrat and one republican) from each town in Wayne County, \$100 per person for a minimum of up to two (2) machines per person, for each election, plus mileage, with an additional \$50 per machine paid for any service in excess of two

machines, plus their mileage.

Expenses to be paid from Account No. A1450-4421 (Election Exp).

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

**RESOLUTION NO. 70-09: AUTHORIZATION TO APPOINT ELECTION COORDINATORS FOR THE WAYNE COUNTY BOARD OF ELECTIONS**

Mrs. Collier presented the following:

WHEREAS, Election Coordinators are needed to assist the deputies with teaching election inspector required training due to the added responsibilities of the deputies; now, therefore, be it

RESOLVED, each class will be taught by one or two of the appointed coordinators at a cost of \$75.00 each, per class, with no mileage expense paid; and be it further

RESOLVED, that payment will be by voucher, expended from Account No. A1450 (4410) Election Expense.

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

**RESOLUTION NO. 71-09: AUTHORIZATION TO PAY ELECTION INSPECTORS FOR EACH ELECTION WORKED FOR THE WAYNE COUNTY BOARD OF ELECTIONS**

Mr. Lauderdale presented the following:

RESOLVED, that the Wayne County Commissioners are hereby authorized to pay the election inspectors for working the polls on Election Days at the rate of \$10 per hour (Primary Election approximately 10 hours) and General Election (approximately 16 hours); and be it further

RESOLVED, that chairpersons are to be paid an additional \$10 per day, in addition to the rate of \$10 per hour, all to be taken from Account No. A1450.4421 (Election Exp).

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

**RESOLUTION NO. 72-09: AUTHORIZATION TO PAY ELECTION INSPECTORS FOR ATTENDING A MANDATORY TRAINING SESSION FOR WAYNE COUNTY BOARD OF ELECTIONS DEPARTMENT**

Mrs. Collier presented the following:

RESOLVED, that the Commissioners of Wayne County Board of Elections are hereby the authorized to pay the election inspectors for attending a mandatory training session at a cost of \$25 per person, per class (no mileage paid) to be paid from Account No. A1450.4421 (Election Exp).

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

**RESOLUTION NO. 73-09: AUTHORIZATION TO APPOINT PERSONNEL FOR TAKING PHONE TALLIES ON ELECTION NIGHT FOR THE BOARD OF ELECTIONS**

Mr. Lauderdale presented the following:

RESOLVED, that the Wayne County Board of Elections is hereby authorized to appoint three to six people to take tallies by phone on election night, at a rate of \$35 per individual/per election; and be it further

RESOLVED, that help is not needed for the Village Elections; and be it further

RESOLVED, that the expenses shall be expended from Account No. A1450.4421 (Election Expense).

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

**RESOLUTION NO. 74-09: AUTHORIZATION TO PROCESS PAYMENT TO NTS DATA**

**SERVICES FOR MAIL CHECK PROCESSING FOR BOARD OF ELECTIONS**

Mrs. Collier presented the following:

WHEREAS, a postcard must be sent to each active voter (approximately 54,000) to verify information in regard to voting; and

WHEREAS, NTS Data Services is capable of processing these cards more efficiently, by sorting and bar coding to postal standards, resulting in lower postal expense; and

WHEREAS, cards cannot be sent until the postage check is received by NTS Data Services, the amount for the postage will have to be processed a month earlier to comply with the county payment process; now, therefore, be it

RESOLVED, that the Wayne County Election Commissioners are hereby authorized to process payment to NTS Data Services for said services at a cost not to exceed \$3,900 to be expended from Account No. A1450.4421 (Election Expense) plus postage at a cost not to exceed \$14,000 to be expended from Account No. A1450.4166 (Postage Expense).

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

**RESOLUTION NO. 75-09: AUTHORIZATION TO EXECUTE AGREEMENTS WITH NTS DATA SERVICES FOR MAINTENANCE AND SUPPORT SERVICES FOR BOARD OF ELECTIONS**

Mr. Lauderdale presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute agreements on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with NTS Data Services for the following:

Maintenance Service Contract at a cost not to exceed \$10,235

IMS (Interface Messaging System) at a cost not to exceed \$7,000.00

and be it further

RESOLVED, that said contracts are to be expended from Account No. A1450.4424 (Maintenance Contract) for the contract period January 1, 2009 through December 31, 2009.

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

**RESOLUTION NO. 76-09: AUTHORIZATION TO APPOINT ELECTION INSPECTORS FOR NURSING HOMES FOR THE BOARD OF ELECTIONS**

Mrs. Collier presented the following:

WHEREAS, pursuant to Election Law 8-407, the Board of Elections is mandated to send two (2) inspectors (one Republican and one Democrat) to nursing homes in the Wayne County area to assist residents in casting their ballots for voting; now, therefore, be it

RESOLVED, that the Election Commissioners are hereby authorized to appoint two (2) inspectors (one Republican and one Democrat) to nursing homes in the Wayne County area to assist residents in casting their ballots for voting; and be it further

RESOLVED, that said election inspectors are to be paid a rate of \$10.00 per hour, plus their mileage expenses, to be expended from Account No. A1450.4421 (Election Expense).

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

**RESOLUTION NO. 77-09: AUTHORIZATION TO PAY ANNUAL CONTRACT FEE WITH THE ESI EMPLOYEE ASSISTANCE GROUP (EAP) FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 2009**

Mrs. Collier presented the following:

WHEREAS, ESI Employee Services EAP provided the County of Wayne with Employee Assistance Program services for the period January 1, 2008 – December 31, 2008; and

WHEREAS, the County of Wayne is desirous of entering into an agreement with ESI for the period January 1, 2009 – December 31, 2009 for the provisions of an EAP at the rate of

\$18.57 per employee; 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 ESI for the period January 1, 2009 – December 31, 2009 for the provision of an Employee Assistance Program at a rate of \$18.57 per employee; and be it further

RESOLVED, that the County Treasurer is authorized to make payment to ESI for 2009 for an amount not to exceed \$18,068.61 and charge individual departments accordingly. (973 employees x \$18.57 = \$18,068.61)

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

**RESOLUTION NO. 78-09: AUTHORIZATION TO ADOPT AND DISTRIBUTE SUMMARY PLAN DESCRIPTIONS, HEALTH REIMBURSEMENT ARRANGEMENT**

Mr. Lauderdale presented the following:

1. Wayne County Flexible Spending Plan
2. Wayne County Health Reimbursement Arrangement, Sheriff's Police Officer Association
3. Wayne County Health Reimbursement Arrangement, Sheriff's Employees Association

WHEREAS, Wayne County has offered Health Reimbursement Arrangements (also known as Flexible Spending Plans) since January 1, 2005 ("cafeteria plans" within the meaning of Section 125 of the Internal revenue Code of 1986 as amended); and

WHEREAS, participation in a Health Reimbursement Arrangement is voluntary; and

WHEREAS, the Health Care Arrangement Basic Plan Document defines and describes this voluntary plan, and is the basis for the Summary Plan Description (SPD); and

WHEREAS, each participating employee is to be provided a Summary Plan Description (SPD) for the plan in which they participate; now, therefore, be it

RESOLVED that the Health Reimbursement Arrangement Basic Plan Document and the three Summary Plan Descriptions listed above are adopted by the Board of Supervisors; and be it further

RESOLVED that the Director of Human Resources is hereby authorized to publish and distribute a sufficient number of copies of the SPD for distribution to covered Wayne County employees in compliance with IRS regulations.

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

**RESOLUTION NO. 79-09: AUTHORIZATION TO SET CONFIDENTIAL/MANAGERIAL SALARY IN HUMAN RESOURCES DEPARTMENT FOR FISCAL YEAR 2009**

Mrs. Collier presented the following:

WHEREAS, a confidential/management position, Personnel Assistant, is currently vacant in the Wayne County Human Resources Department; and

WHEREAS, the County Administrator anticipates authorizing the refilling of the position of Personnel Assistant effective January 21, 2009; and

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

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

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

WHEREAS, the County Administrator has recommended starting salary for the position; and

WHEREAS, the department needs to begin to recruit for the position; now, therefore, be it

RESOLVED, that the salary for the vacant Personnel Assistant is hereby established up to \$47,000 per year; and be it further

RESOLVED, that any differential in the approved salary and the amount budgeted for 2009 will be recouped by holding this or another position vacant within the department for a

sufficient amount of time so as not to require supplemental funding.

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

**RESOLUTION NO. 80-09: AUTHORIZING MEMORANDUM OF AGREEMENT BETWEEN ISLAND PEER REVIEW ORGANIZATION (IPRO) AND THE WAYNE COUNTY NURSING HOME.**

Ms. Park presented the following:

WHEREAS, the Social Security Act requires IPRO to review services furnished to Medicare beneficiaries by the Wayne County Nursing Home; and

WHEREAS, the Wayne County Nursing Home is required to sign a memorandum of agreement with IPRO to be effective from August 1, 2008 till July 31, 2011; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to sign a MOA with IPRO effective August 1, 2008 till July 31, 2011 subject to the County's Attorney's approval as to form and content.

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

**RESOLUTION NO. 81-09: AUTHORIZING CONTRACT FOR SOCIAL WORK SERVICES FOR THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home is desirous of entering into a contract with Maria Gigliotti, LMSW, for the provision of Social Work Consultant services for the period of January 1, 2009 - December 31, 2009 for a fee of \$51.50 per hour; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement effective January 1, 2009 subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 82-09: AUTHORIZING COUNTY ATTORNEY TO ENGAGE OUTSIDE COUNSEL ON BEHALF OF THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home has identified a need for the assistance of outside legal counsel in matters involving certain collection issues; and

WHEREAS, after meetings with the Wayne County Attorney's Office, the County Administrator, the Commissioner of Social Services and the Nursing Home Administrator it was decided to utilize a combination of in-house attorneys and outside counsel depending upon the nature of the work; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the County Attorney to retain legal counsel for the above stated purpose with Underberg & Kessler, LLP or other suitable outside counsel and further authorizes the Chairman of the Board to sign said agreement in form approved by the County Attorney; and be it further

RESOLVED, that the Wayne County Attorney shall act as liaison between the Department of Social Services Attorney Staff, the outside counsel, and the Wayne County Nursing Home regarding the authorization and monitoring of all legal services rendered.

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

**RESOLUTION NO. 83-09: AUTHORIZATION TO AMEND RES. NO. 871-07 AND SIGN CONTRACT WITH AMERICAN HEALTHCARE, INC. (FORMERLY BUFFALO HOSPITAL SUPPLY CO., INC.)**

Ms. Park presented the following:

WHEREAS, Buffalo Hospital Supply Co., Inc. and American HealthCare, Inc. currently provides urological, colostomy, tracheotomy, surgical dressing and enteral therapy supplies to the nursing home's residents under two contracts; and

WHEREAS, the nursing home has been purchasing Prosthetic Supplies from American HealthCare to provide Prosthetic Supplies to the residents who need such supplies and are eligible to receive benefits under Part B of the Medicare Program and/or Third Party services for eligible residents; and

WHEREAS, Buffalo Hospital Supply Co., Inc. and American HealthCare, Inc. have combined; and

WHEREAS, the current contract is amended to reflect this change; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to sign the contract with American HealthCare, Inc.

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

**RESOLUTION NO. 84-09: AUTHORIZATION TO AMEND CONTRACT WITH REIMBURSEMENT CONSULTANT – TERRY COTTON**

Ms. Park presented the following:

WHEREAS, Resolution No. 807-08 with Terry Cotton, 1235 Hunters Run, Victor, NY 14564 is hereby amended to include Interim Controller services; and

WHEREAS, the fee for this additional service is \$75 per hour plus out-of-pocket expenses incurred, and professional fees and expenses for these special services not to exceed \$10,000; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisor's be authorized and directed to execute an amendment to the current contract on behalf of the Wayne County Nursing Home, subject to the County Attorney's approval as to form and content for the period January 1, 2009 – December 31, 2009.

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

**RESOLUTION NO. 85-09: AUTHORIZING TO EXECUTE AN AGREEMENT BETWEEN ELDER MEDICAL SERVICES PC AND THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, Elder Medical Services provides physician and psychology coverage including medical direction and direct resident care; and

WHEREAS, the contract with Elder Medical Services expires February 29, 2009; and

WHEREAS, the nursing home is desirous to renew the contract with Elder Medical Services PC for the period March 1, 2009 through December 31, 2009 at a cost not to exceed \$33,516 or \$2,793 a month. (2008 rate was \$31, 920); now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the contract effective March 1, 2009 subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 86-09: AUTHORIZING AGREEMENT TO ESTABLISH EDUCATIONAL PROGRAMS WITH WAYNE FL BOCES AT THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home is a facility suited to provide clinical training and experience for the students in the Program; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute an agreement on behalf of the Wayne County Nursing Home, with Finger Lakes BOCES for the provision of educational programs effective January 1, 2009 for an indefinite duration. Agreement is subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 87-09: AUTHORIZATION TO PAY FEES ASSOCIATED WITH THE CHILD PASSENGER SAFETY SEAT CERTIFICATION PROGRAM THROUGH THE NATIONAL SAFE KIDS CAMPAIGN**

Ms. Park presented the following:

WHEREAS, Wayne County Public Health wishes to continue with the Child Passenger Safety Seat Program and grant requirements as identified in the NYS Governor's Traffic Safety Committee, by continuing the certification of child passenger safety seat technicians; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to pay for the applications to re-certify three (3) Public Health staff in order to be in compliance with funding requirements, payable from Account No. A40184 – 54792 - Child Safety Program as follows:

Application for Recertification for two (2) Technicians	\$40 each	- \$80
Application for Recertification for one (1) Instructor		\$60

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

**RESOLUTION NO. 88-09: AUTHORIZATION TO SUPPORT FINGER LAKES HEALTH SYSTEMS AGENCY**

Ms. Park presented the following:

WHEREAS, Wayne County provides annual support funding to the Finger Lakes Health Systems Agency for the provision of health data and information to community agencies as part of community health assessment activities; and

WHEREAS, that the Public Health Department has budgeted to provide support to Finger Lakes Health System agency in the amount of \$11,721.00 for fiscal year 2009; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Public Health Department to continue the annual support of the Finger Lakes Health System Agency in the amount of \$11,721.00 for fiscal year 2009.

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

**RESOLUTION NO. 89-09: AUTHORIZATION TO AMEND CHILDHOOD LEAD POISONING PREVENTION PROGRAM BUDGET CONTRACT # C-020639 WITH THE NYS DOH**

Ms. Park presented the following:

WHEREAS, the Special Session of the Legislature called by Governor Paterson on August 19, 2008, reductions were made to the Childhood Lead Poisoning Prevention program contract for period 4/1/08 – 3/31/09 budget. This contract is reduced by \$922.00; and

WHEREAS, the Lead Budget has been thoroughly reviewed and a county cost cannot be removed or reduced; now, therefore, be it

RESOLVED, that the Chairman of the Board is authorized to amend the Childhood Lead Poisoning Prevention contract and budget as noted above, with the NYS DOH, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 90-09: AUTHORIZATION TO SIGN MEMORANDUM OF AGREEMENT WITH THE ISLAND PEER REVIEW ORGANIZATION (IPRO) EFFECTIVE AUGUST 1, 2008 TILL JULY 31, 2011**

Ms. Park presented the following:

WHEREAS, the Social Security Act requires IPRO to review services furnished to

Medicare beneficiaries by our Certified Home Health Agency; and

WHEREAS, Wayne County Public Health is required to sign a memorandum of understanding (MOU) with IPRO to be effective from August 1, 2008 till July 31, 2011; now, therefore, be it

RESOLVED, the Director of Public Health is authorized to sign a MOU with IPRO effective August 1, 2008 till July 31, 2011.

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

**RESOLUTION NO. 91-09: AUTHORIZATION TO CONTRACT WITH LITTLE FACES EARLY INTERVENTION SERVICES, LLC, FOR EARLY INTERVENTION SERVICES FROM 1/1/09 TILL 6/30/09**

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) Early Intervention (EI) services is required to contract with approved providers of Early Intervention Services or programs; and

WHEREAS, Little Faces Early Intervention Services, LLC is willing to provide the following services; home based, special education, supplemental evaluations, family/caregiver support groups, and group developmental intervention for the WCPH EI services; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract, subject to the County Attorney's approval as to form and content, at the per session rate established by the NYS DOH, up to the amount of \$37,200, for the period 1/1/09 till 6/30/09 with Little Faces Early Intervention Services, LLC as an Early Intervention provider.

NYS DOH rates per session: \$69.00/half hour  
\$97.00/hour

Little Faces Early Intervention Services, LLC  
53 Country Corner Lane  
Fairport, NY 14450

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

**RESOLUTION NO. 92-09: AUTHORIZATION TO SIGN MEMORANDUM OF UNDERSTANDING WITH AIDS ROCHESTER**

Ms. Park presented the following:

WHEREAS, AIDS Rochester is requesting a signed Memorandum of Understanding (MOU) between their agency and Wayne County Public Health; and

WHEREAS, AIDS Rochester and Wayne County Public Health agree to refer those living with HIV and AIDS to each other for services listed and who meet eligibility criteria of each agency; now, therefore, be it

RESOLVED, that the Director of Public Health is authorized to sign the MOU between Aids Rochester and Wayne County Public Health.

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

**RESOLUTION NO. 93-09: AUTHORIZATION TO EXECUTE A LEASE AGREEMENT BETWEEN RUSHVILLE HEALTH CENTER AND WAYNE COUNTY PUBLIC HEALTH FOR THE LENGTH OF THE WAYNE COUNTY ORAL HEALTH PROJECT FROM GREATER ROCHESTER HEALTH FOUNDATION FROM JULY 1, 2008 TILL JUNE 30, 2011**

Ms. Park presented the following:

WHEREAS, Rushville Health Center is required to have a lease agreement with Wayne County Public Health for the purpose of filing an application to acquire a Certificate of Need from the NYS DOH to provide dental services at Wayne County Public Health; and

WHEREAS, Rushville Health Center will pay Wayne County Public Health \$1.00 for the

leasing of 312 square feet; and

WHEREAS, the total lease of the 312 square feet for the dental services provided by Rushville Health Center will be paid by the Wayne County Oral Health Project at a \$417.00 per month rate; now, therefore, be it

RESOLVED, the Chairman of the Board is authorized to execute a lease agreement between Rushville Health Center and Wayne County Public Health from July 1, 2008 till June 30, 2011 for 312 square feet for the cost of \$1.00, subject to the County Attorney's approval to form and content.

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

**RESOLUTION NO. 94-09: AUTHORIZATION TO AMEND THE 2009 BUDGET TO REFLECT STATE AID FOR THE VETERAN'S SERVICES DEPARTMENT**

Mr. Hammond presented the following:

WHEREAS, the 2009 Wayne County Budget was accepted on November 18, 2009; and

WHEREAS, this Board of Supervisors is desirous of amending said 2009 Wayne County Budget to adjust State Aid for 2009; now, therefore be it

RESOLVED, that this Board of Supervisors does hereby amend the 2009 Wayne County Budget as follows:

**A6510 – VETERANS SERVICE**

Increase .43648 Social Services Burials from \$5,000.00 to \$5,300.00

Decrease .43710 Veteran Service Agencies from \$5,000.00 to \$4,700.00.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, all Supervisors voted Aye, except Supervisors Colacino, Spickerman, Groat, Crane and Fabino who voted Nay. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 95-09: MODIFY THE 2009 CONTRACT WITH WAYNE COUNTY CHAPTER, NYS ASSOCIATION FOR RETARDED CHILDREN**

Mr. Hammond presented the following:

WHEREAS, a contract with NYS Association for Retarded Children (Key Industries) to provide bulk meal preparation for six congregate Senior Centers was approved per Resolution No. 637-08; and

WHEREAS, Key Industries has since conducted a meal cost audit and is requesting the contract be modified to reflect an increase in the meal cost from \$3.25 to \$3.40 per meal. The total budget amount of \$85,000 will remain the same; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors to is hereby authorized and directed to sign a modified 2009 contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with ARC (Key Industries), for the period of January 1, 2009 through December 31, 2009, for bulk meal catering; and be it further

RESOLVED, that the terms and conditions of this contract remain the same as 2008 except that the meal rate will be raised to \$3.40 per meal and the maximum contract amount will not exceed \$85,000 (including USDA funds).

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

**RESOLUTION NO. 96-09: AUTHORIZATION TO APPOINT MEMBER TO THE AGING SERVICES ADVISORY COUNCIL**

Mr. Hammond presented the following:

WHEREAS, the New York State Office for the Aging requires each Area Agency on Aging to have an Aging Services Advisory Council; and

WHEREAS, advisory council member Charmaine Fallon is no longer employed as Director of Senior Services at Wayne County Action Program and will be removed from the Council; and

WHEREAS, current Director of Senior Services Carm Krueger has expressed an interest in filling this vacant position; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors hereby appoints Carm Krueger to the Wayne County Aging Services Advisory Council for a term commencing on February 1, 2009 and ending on January 31, 2012; and be it further

RESOLVED, that the appointment is hereby confirmed.

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

**RESOLUTION NO. 97-09: ACCEPTANCE OF PHARMACEUTICAL AVERAGE WHOLESALE PRICE LITIGATION PROCEEDS**

Mr. Hammond presented the following:

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

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

RESOLVED, that the Wayne County Board of Supervisors hereby accepts Wayne County's share of the settlement from EMD Serono, the smallest defendant in the case, in the amount of \$818.00, and the settlement amount from Bayer, in the amount of \$2,297.

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

**RESOLUTION NO. 98-09: CREATE A POSITION OF SENIOR SOCIAL WELFARE EXAMINER AND ABOLISH ONE SOCIAL WELFARE EXAMINER**

Mr. Hammond presented the following:

WHEREAS, two positions of Social Welfare Examiner were created in the 2009 Social Services Budget for the Medicaid Unit due to increased workload; and

WHEREAS, a processing backlog for new Medicaid claims continues to exist impacting local long term care providers; and

WHEREAS, Social Welfare Examiners conduct the initial review of the claims and ensure that the documentation is available for review by Senior Social Welfare Examiners who in turn authorize a case to be opened; and

WHEREAS, due to these workflow and processing protocols, one of the new positions needs to be upgraded to a Senior Social Welfare Examiner position; and

WHEREAS, both positions will be fully reimbursed by New York State under Medicaid Administrative funding; now, therefore, be it

RESOLVED, that one position of Senior Social Welfare Examiner is hereby created and that one Social Welfare Examiner position is hereby abolished.

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

**RESOLUTION NO. 99-09: RENEW CONTRACT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC. (NYSID) FOR CLEANING AND JANITORIAL SERVICES IN THE DSS BUILDING**

Mr. Hammond presented the following:

WHEREAS, Resolution No. 248-08 authorized a contract with NYSID for the year 3/1/08 – 2/28/09 in an amount of \$63,113.95; and

WHEREAS, it also included a renewal term of 3/1/09 – 2/28/10 in an amount of \$64,376.23 (a 2% increase); and

WHEREAS, the contractor has performed these services in a satisfactory manner in the past and is a preferred source contractor; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into an agreement, subject to the County Attorney's review, with NYSID for cleaning/janitorial services at the DSS building located at 77 Water Street for the timeframe

3/1/09 – 2/28/10 in an amount not to exceed \$64,376.23.

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

**RESOLUTION NO. 100-09: AUTHORIZE REPAIR OF COUNTY CAR FOR THE SOCIAL SERVICES DEPARTMENT**

Mr. Hammond presented the following:

WHEREAS, Resolution 569-08 authorized repair of a 2007 Ford Crown Victoria by Del Rossa Ford in an amount not to exceed \$9,100; and

WHEREAS, Del Rossa Ford has now notified the Department of Social Services that in the course of repair of said vehicle that extensive damage to the frame of the vehicle was found, necessitating finding and purchasing another frame for the vehicle or totaling the vehicle; and

WHEREAS, the vehicle was purchased at the end of 2007 and has under 5000 miles on it and in good condition has a \$13,000+ retail value and an \$11,000+ wholesale value; and

WHEREAS, the vehicle is needed for Medicaid transportation by the Social Services Department which is fully reimbursed by the Medicaid program for the purchase or repair cost; now, therefore, be it

RESOLVED, that Del Rossa Ford is hereby authorized to expend an amount not to exceed \$11,100 to effect a substantial and safe repair to the 2007 Ford Crown Victoria, due to the discovery of additional and extensive repair needing to be done to the frame of said vehicle.

Ms. Park moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, all Supervisors voted Aye, except Supervisors Crane, Fabino and Lauderdale who voted Nay. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 101-09: AUTHORIZATION TO SUBMIT SNAP GRANT APPLICATION WITH SENECA, ONTARIO, YATES, AND WAYNE COUNTY FOR WC WORKFORCE DEVELOPMENT**

Mr. Hammond presented the following:

WHEREAS, WFD is requesting authorization to submit for a SNAP (OTDA) NYS Grant, taking a regional approach used in applying (Wayne, Seneca, Yates and Ontario) Counties. Seneca County being the Administrating County of said grant. Total grant applied for to serve all four counties is: \$106,000; and

WHEREAS, this grant would allow Wayne County to contract with Seneca County. This Grant would be to serve Wayne County Safety Net Population with a portion of the grant (if awarded) to provide classroom training provided by FLCC, on the job training, and career services using criteria to meet DSS required participation rate. Referrals will be received from the Wayne County Department of Social Services (with Wayne County's Contract); now, therefore, be it

RESOLVED, to authorize Wayne County WFD to submit said grant with Seneca, Yates, and Ontario County. Should this grant be awarded a contract with Seneca County will be presented to the Board for further approval of the Wayne County Attorney and Chairman of the Board of Supervisors signature.

Grant to be proportioned:

Wayne, Yates, Seneca WFD Each: \$25,250, Ontario County WFD: \$25,000.  
(Seneca County) Grant Recipient Program Coordinator: \$5,250

Should this grant be awarded, Wayne would be allocated \$25,250

Case Management: \$2,850 (staff wages and benefits)

Life Skills: \$7,250 (FLCC training for 10 people)

Job placement: 15,150 (specialized job placement OJT, 5 people)  
\$25,250

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

**RESOLUTION NO. 102-09: AUTHORIZATION TO SUBMIT APPLICATION FOR SOCIAL SECURITY ADMINISTRATION TO BECOME AN EMPLOYMENT NETWORK SITE (EN)**

Mr. Hammond presented the following:

WHEREAS, Workforce Development currently provides services of Employment and Training to all applicants between the ages 18 – 64; and

WHEREAS, the Social Security Administration is taking applications for "Employment Networks (EN sites) for the Ticket to Work and Self-Sufficiency Program."; and

WHEREAS, tickets are being issued to eligible Social Security beneficiaries who, in turn, may assign those tickets to an EN of their choice to obtain employment services, vocational rehabilitation services or other support services necessary to achieve a vocational goal. The EN assumes responsibility for the coordination and delivery of appropriate employment, vocational rehabilitation or other support services to those beneficiaries who have assigned tickets to the EN sites; now, therefore, be it

RESOLVED, that the Wayne County Workforce Development office is authorized to submit an application to the Social Security Administration to become an Employment Networks (EN) site.

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

**RESOLUTION NO. 103-09: AUDIT OF CLAIMS – JANUARY 20, 2009**

Mr. Lyon presented the following:

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

RESOLVED, that the following Claims totaling \$3,876,072.82 are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$ 2,516,219.49
2. D Fund	\$ 827,520.62
3. DM Fund	\$ 59,863.11
4. E Fund	\$ 307,012.73
5. H Fund	\$ 32,348.55
6. MS Fund	\$ 19,056.32
7. S Fund	\$ 114,052.00
Warrant Total	\$ 3,876,072.82

and be it further

RESOLVED, that the following utilities totaling \$150,702.94, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$ 105,435.80
2. DM Fund	\$ 6,652.46
3. E Fund	\$ 38,614.68
Utility Total	\$ 150,702.94

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling \$234,632.92 are hereby ratified:

1. Nursing Home	\$ 82,201.06
2. Sheriff	\$ 15,492.52
3. Social Services	\$ 51,143.67
4. County Attorney	\$ 332.28

5. Dept. Aging & Youth	\$	165.60
6. Public Defender	\$	138.24
7. Workers' Comp	\$	<u>85,159.55</u>
Misc. Disbursement Total	\$	234,632.92

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

**OTHER BUSINESS**

Mr. Kelsch moved, seconded by Mr. Fabino that three (3) resolutions be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Carried.

**RESOLUTION NO. 104-09: AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS FOR ENGINEERING CONSULTANT SERVICES**

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department has identified nine possible highway projects that could possibly receive funding under a proposed Federal Stimulus Package; and

WHEREAS, the proposed county projects must be shovel ready by early summer or risk the loss of funding; and

WHEREAS, the proposed county projects require engineered plans and specifications and approvals from Federal Agencies to be eligible for the funding. These projects will involve a very aggressive timeline for engineering design to ensure the projects can be eligible for funding; and

WHEREAS, the Highway Superintendent has previously advised that such projects may require the assistance of consultants in order to satisfy an accelerated timeline; now, therefore, be it

RESOLVED, that the County Highway Superintendent is authorized to solicit proposals from qualified consulting firms and will be positioned to enter into Agreement with firms(s) if the proposed county projects receive Federal funding.

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

**RESOLUTION NO. 105-09: AUTHORIZING NEGOTIATIONS WITH WAYNE COUNTY SHERIFFS' LIEUTENANTS ASSOCIATION**

Mrs. Collier presented the following:

WHEREAS, Wayne County's contract with the Wayne County Sheriffs' Lieutenants Association expired on December 31, 2007; and

WHEREAS, the Association has indicated to the County that it desires to commence negotiations for a successor agreement; and

WHEREAS, Wayne County desires to negotiate an agreement; now therefore be it

RESOLVED, that Wayne County will commence negotiations with the Wayne County Sheriffs' Lieutenants Association; and be it further

RESOLVED, that Supervisors Collier, Spickerman, and Lyon, the County Administrator, the Fiscal Manager, County Attorney, and the Wayne County Sheriff or his representative, are members of the county's negotiating team; and be it further

RESOLVED, that Human Resources Director Charles Dye is the Lead Negotiator for the County.

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

**RESOLUTION NO. 106-09: AUTHORIZATION TO ACCEPT REQUEST FOR PROPOSALS AND EXECUTE CONTRACT FOR TITLE SEARCHES FOR THE 2008 PROPERTY TAX FORECLOSURE PROCEEDING**

Mr. Lyon presented the following:

WHEREAS, the Wayne County Board of Supervisors recognizes that title search services

are necessary services to be provided to the County Treasurer for the 2008 Property Tax Foreclosure Proceedings; and

WHEREAS, the Wayne County Board of Supervisors hereby approves the issuance of a Request for Proposals ("RFP") for said services by the County Treasurer; and

WHEREAS, the Wayne County Treasurer issued Request for Proposals for title searches for the 2008 Property Tax Foreclosure Proceedings; and

WHEREAS, the RFP was sent to several abstract companies and the following proposal was received:

	FULL SEARCH			UPDATE SEARCH
	1st year	2nd year	3rd year	
Monroe-Gorman				
Title Agency LLC	\$ 65	\$ 70	\$ 75	\$ 35 per parcel

and

WHEREAS, said Proposal from Monroe-Gorman Title Agency LLC has been reviewed by the County Attorney and County Treasurer and is hereby approved; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby approves the issuance of said Request for Proposals for title searches for the 2008 Property Tax Foreclosure Proceedings; 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 Attorneys approval as to form and content, with Monroe-Gorman Title Agency LLC, for the title searches for the 2008 Property Tax Foreclosure Proceedings.

Mr. Plant questioned the County's procedures of authorizing request for proposals.

Daniel Wyner, County Attorney, and Thomas Warnick, County Treasurer, answered questions regarding this issue and relevant to the importance of title searches for the property tax foreclosure process.

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

**EXECUTIVE SESSION:** Mr. LeRoy moved, seconded by Mrs. Crane, that the Board go into Executive Session to discuss proposed litigation at 10:19 a.m. Upon roll call, carried.

**REGULAR SESSION:** Ms. Park moved, seconded by Mr. LeRoy, that the Board resume regular session at 10:42 a.m. Carried.

**EXECUTIVE SESSION:** Mrs. Collier moved, seconded by Mr. Plant, that the Board go into Executive Session to discuss a personnel issue at 10:45 a.m. Upon roll call, carried.

**REGULAR SESSION:** Mr. Colacino moved, seconded by Mrs. Collier that the Board resume regular session at 11:25 a.m. Carried.

#### **OTHER BUSINESS**

Mr. Lauderdale moved, seconded by Mrs. Collier that one (1) resolution be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Carried.

#### **RESOLUTION NO. 107-09: AUTHORIZATION FOR APPROVAL FOR SETTLEMENT REGARDING THE WAYNE COUNTY NURSING HOME**

Mr. LeRoy presented the following:

WHEREAS, the County of Wayne has amicably resolved certain claims regarding the design and construction of the Wayne County Nursing Home with LaBella Associates PC and LeChase Construction Services LLC, which claims also involved services provided by Clark Patterson, Lee and The Pike Company to LaBella Associates PC regarding said project; and

WHEREAS, the above mentioned parties have agreed to a settlement in the amount of Sixty Thousand and 00/100 Dollars (\$60,000) to be paid from LaBella Associates PC to the County of Wayne; and

WHEREAS, said settlement also provides for the repair and replacement of certain Corean counter tops at the Wayne County Nursing Home; now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors hereby approves settlement with LaBella Associates PC, LeChase Construction Services LLC, Clark Patterson, Lee and The Pike Company as hereinbefore set forth; and be it further

RESOLVED, the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute all releases and other documents to effectuate said settlement subject to the approval of the County Attorney.

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

**ADJOURNMENT:**

The next scheduled meeting of the Board is Thursday, February 19, 2009 at 9:00 a.m.

Mr. Kelsch moved, seconded by Mr. LeRoy, that the board adjourn at 11:29 a.m. Carried.

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