

12th Day
Tuesday, September 18, 2007
9:00 a.m.

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

Upon roll call, all Supervisors were present, except Supervisor Bender who was absent. County Attorney Daniel Wyner and Interim-County Administrator Keith Kubasik were also present.

APPROVAL OF MINUTES:

Mr. Fabino moved, seconded by Mr. Hammond, that the minutes of the previous meeting be approved as printed. Upon roll call, carried.

SUMMARY OF CLAIMS BY COMMITTEE:

Committee 2	Supervisors, Personnel and Salary	
	A10104 Legislative Board	227.90
	A10404 Clerk Legislative Board	193.20
	A14204 County Attorney	1,108.06
	A14304 Personnel Department	390.43
	A16704 Undistributed Meter Postage	20,000.00
	A16724 Court House Xerox	118.22
		\$ 22,037.81
Committee 3	Assessment and Insurance	
	A13554 Assessment - Real Property Tax	2,843.17
	A14314 Cafeteria Plan	660.79
	A19304 Judgments & Claims	629.20
	A19314 Liability & Casualty Reserve	700.57
		\$ 4,833.73
Committee 4	Judicial	
	A11654 District Attorney	6,085.44
	A11704 Public Defender	6,965.05
	A11724 Legal Defense of Indigents	57,102.53
	A11734 Wayne Pre-Trial Services, Inc.	8,869.92
	A11854 Coroner	14,153.45
	A11904 Grand Jury	759.17
	A31404 Probation	<u>5,571.58</u>
		99,507.14
Committee 5	Buildings, Grounds and Parks	
	A16152 Building & Grounds	20.00
	A16154 Building & Grounds	291,359.01
	H19152 Parks Project	1,743.00
	H19332 Building Renovation Project	1,268.98
	H49012 NYSDOL/WFD Buildout Health Bldg	<u>8,779.23</u>
		\$303,170.22
Committee 6	County Clerk, Elections and Veterans	
	A14102 County Clerk	480.00
	A14104 County Clerk	1,040.17
	A14504 Board of Elections	3,472.91
	A65104 Veteran Services	<u>1,938.33</u>
		6,931.41
Committee 7	Highway	
	A16404 Central Garage	9,494.07

	D50104	Highway Administration	1,604.53
	D50204	Highway Engineering	5,120.00
	D51104	Maintenance of Roads & Bridges	179,086.93
	D51122	Road Construction	279,965.27
	D51424	Snow Removal – County	476,577.06
	DM51304	Road Machinery	<u>107,332.48</u>
			\$1,059,180.34
Committee 8		Social Services	
	A60104	Administration	97,488.91
	A61234	Juv Delinquent Care	36,900.00
	A62124	WFD/DSS Intensive Employment	134.76
	A62144	Economic Opportunity & Develop	133.15
	A62934	WIA Adult	50.00
	A62944	WIA Dislocated	492.21
	A62954	WIA Youth	224.82
	A62964	TANF Summer	851.57
	E60000	NH Combined	140.00
	E60004	NH Combined	<u>317,515.59</u>
			\$453,931.01
Committee 9		Historical and Education	
	A24904	Community College	86,321.80
Committee 10		Finance	
	A13254	Treasurer	26,969.06
	A16714	Printing Department	7,936.86
	A16802	Information Technology	4,712.05
	A16804	Information Technology	6,920.11
	H19082	FMS System Update	6,529.51
	MS17104	Administrative Fees	4,000.00
	S17104	Workers Comp	<u>32,779.00</u>
			\$89,846.59
Committee 11		Public Health	
	A40104	Public Health	6,703.18
	A40114	Public Health Service	26,064.59
	A40164	PH - Early Intervention 0-1	158,459.27
	A40174	PH - Child w/Spec Needs 3-5	366,391.94
	A40184	Public Health Education	1,470.79
	A40194	Wayne Community Nursing Care	20,375.90
	A40204	PH - EMS Coordinator	747.51
	A43002	Behavioral Health	303.78
	A43004	Behavioral Health	<u>83,160.84</u>
			\$663,677.79
Committee 12		Planning	
	A63264	Economic Development Admin	34,366.00
	A64104	Publicity (Tourism)	1,679.50
	A64114	Tourism Matching Funds Program	7,888.75
	A80204	Planning Board	<u>7,325.46</u>
			\$ 51,259.71
Committee 13		Public Safety	
	A31104	Sheriff	9,816.20
	A31114	Sheriff - Recreational Safety	1,190.58
	A31134	Sheriff - Juvenile Office	1,358.43
	A31142	Sheriff - Road Patrol	550.88
	A31144	Sheriff - Road Patrol	1,682.79

	A31154	Sheriff - Detective Unit	837.14
	A31164	Sheriff – Court Security	443.22
	A31504	Sheriff - Jail	29,622.80
	A33152	Stop DWI	1,236.00
	A33154	Stop DWI	8,422.70
	A34102	Mutual Aid (Fire Coordinator)	1,200.18
	A36402	Emergency Management Office	337.00
	A36404	Emergency Management Office	1,546.32
	A36424	E911 Communications	3,764.58
	A36444	ALS Services	5,531.05
	H19352	Enhance911Emergency Telephone	<u>3,550.70</u>
			\$ 71,090.57
Committee 14		Agriculture, Aging, Youth and Recreation	
	A67724	Area Agency on Aging	34,009.05
	A73104	Youth Bureau	23,517.96
	A73114	Youth Program - Recreation	109.80
	A87304	Soil Conservation	11,652.00
			<u>\$ 69,288.81</u>
		Warrant Total	\$2,981,076.93
		During the Month Utilities	\$ 101,137.64

Mr. Leroy 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 August 2007 in the amount of \$15,982 was received and filed.

A copy of the New York State's 2008 Annual Action Plan regarding certain federal housing and community development programs, requested that the County make documentation available for public inspection for a 30-day public comment period.

A letter from the Agriculture and Markets Law to amend the AML in relation to the review of agricultural districts; the reporting of agricultural district data, and to repeal certain provisions of the AML was received.

A letter was received from Leon Gaklik, resident from the Town of Savannah, in support of the reinstatement of Mr. Robert Diener for the position of Director of Wayne County Real Property Tax Services.

A letter was received from the US House of Representatives, Speaker Nancy Pelosi, for acknowledging receipt of Resolution No. 305-07: Authorization for Wayne County to Execute a Letter of Support for the Immigrant Labor Reform Bill.

An invitation was received from the Ontario Fire Company announcing their Open House on Saturday, September 29, 2007, from 12:00 to 3:30 p.m., to kick off Fire Prevention Week and host a Memorial dedication to honor deceased firefighters.

A copy of the Western Finger Lakes Solid Waste Management Authority's June 25, 2007 Board Meeting minutes were received and filed.

A thank you letter was received from Thelma Wideman, former Emergency Manager, thanking the Board for the Certificate of Appreciation, gift and cake that she received for acknowledgement of her retirement.

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

PROCLAMATION:

Chairman Hoffman introduced Ms. Kelsey Hamilton, student and resident from the Town of Palmyra, to read today's Proclamation entitled, "Cornell Cooperative Extension Week –

October 1-7, 2007.

The Clerk read the scheduled Notice of Public Hearing at 9:15 a.m. as follows:

COUNTY OF WAYNE

NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 4-2007

PLEASE TAKE NOTICE, that there has been duly introduced before this Board of Supervisors of the County of Wayne on 21st day of August 2007, a proposed Local Law of the County, designated as Local Law No. 4 for the year 2007; and

NOTICE IS FURTHER GIVEN, that the Wayne County Board of Supervisors will hold a public hearing on Tuesday, September 18, 2007, at 9:15 a.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law, at which time all persons interested will be heard:

COUNTY OF WAYNE - STATE OF NEW YORK

A local law amending Local Law No. 1-1956, as amended, entitled "A local law establishing a plan of self-insurance as provided for in Article 5 of the Workmen's Compensation Law, and providing for the administration thereof", in relation to participants in the plan and apportionment of costs.

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

SECTION 1.

Section 14 of Local Law 1-1956, as amended, entitled "A local law establishing a plan of self-insurance as provided for in Article 5 of the Workmen's Compensation Law and providing for the administration thereof" is hereby amended to read as follows:

Section 14. (a) Definitions

- (i) "Annual Estimate" is the annual estimate prepared pursuant to Section 67 of the Workers' Compensation Law.
- (ii) "Incurred loss experience" includes paid losses plus reserves.
- (iii) "Plan Group A" includes all school districts in the Wayne County Self-Insurance Plan.
- (iv) "Plan Group B" includes the County of Wayne and all Towns and Village participants in the Wayne County Self-Insurance Plan.
- (v) "Plan Group C" includes any public corporation as defined in Article 5 of the Workers' Compensation Law that participates in the Wayne County Self-Insurance Plan.
- (vi) "Plan Group A, B and C loss distribution factor" shall be 100% of the total Plan assessment.
- (vii) "Plan Group A, B and C three-year experience assessment " is the amount determined by multiplying fifty percent of the total annual estimate by the Plan Group A, B and C three-year loss distribution factor.
- (viii) "Participant's experience rating factor" for each Plan Group A, B and C participant is the participant's pro rata share, expressed as a percentage, of the incurred loss experience for all Plan Group A, B and C participants in the three consecutive calendar years immediately preceding the year in which the annual estimate is prepared.
- (ix) "Participant's payroll rating factor" for each Plan Group A, B and C participant is the participant's pro rata share, expressed as a percentage, of the total payroll for Plan

Group A, B and C participants for the year immediately preceding the year in which the annual estimate is prepared.

- (x) "Plan Group A, B and C payroll assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A, B and C loss distribution factor.
- (xi) "Participant's taxable property value rating factor" for each Plan Group A and B participant is the participant's pro rata share, expressed as a percentage, of the total taxable property value for Plan Group A and B participants for the year immediately preceding the year in which the annual estimate is prepared.
- (xvii) "Plan Group A and B property value assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A, B and C loss distribution factor.

SECTION 2.

This local law shall take effect immediately upon the date it is filed in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

Dated: August 31, 2007
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

After the Clerk read the Notice of Public Hearing, Chairman Hoffman requested Keith Kubasik, Interim-County Administrator, to explain these proposed amendments for the Workmen's Compensation Law in relation to participants in the plan and apportionment of costs.

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

Chairman Hoffman requested to recess for five minutes to allow certain Standing Committees to meet.

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

The Clerk read the scheduled Notice of Public Hearing at 9:20 a.m. as follows:

COUNTY OF WAYNE

NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 5-2007

PLEASE TAKE NOTICE, that there has been duly introduced before this Board of Supervisors of the County of Wayne on 21st day of August 2007, a proposed Local Law of the County, designated as Local Law No. 5 for the year 2007; and

NOTICE IS FURTHER GIVEN, that the Wayne County Board of Supervisors will hold a public hearing on Tuesday, September 18, 2007, at 9:30 a.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law, at which time all persons interested will be heard:

COUNTY OF WAYNE - STATE OF NEW YORK

A local law amending Local Law No. 1-1993 establishing the position of County Administrator for the County of Wayne as amended by Local Law No. 2-1994 and Local Law No. 3-2006

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

SECTION 1.

SECTION 3(d) of Local Law No. 1-1993 entitled "ESTABLISHING THE POSITION OF COUNTY ADMINISTRATOR FOR THE COUNTY OF WAYNE AS AMENDED BY LOCAL LAW NO. 2-1994 and LOCAL LAW NO. 3-2006" is hereby amended to read as follows:

"SECTION 3(d) at the time of appointment the County Administrator shall have the following education, training and/or experience:

1. Possess a Bachelors Degree in a business related field from an accredited college or university and have ten (10) years paid full-time management experience in a large and complex government organization or private enterprise. Preference will be given to the aforesaid government experience.
2. Possess Master of Public Administration or Master of Business Administration degree and have eight (8) years of paid full-time management experience in a large and complex government organization or private enterprise. Preference will be given to the aforesaid government experience.
3. An equivalent combination of education, training and managerial experience listed above."

SECTION 2. SEPARABILITY

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree, or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree, or order shall have been rendered and the remainder of this local law shall not be affected thereby and shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE

This local law shall take effect on the date it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

Dated: August 31, 2007
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

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

Chairman Hoffman introduced James H. Verbridge, President/CEO of the Ontario Midland Railroad Corporation to give an update on the operation of the railroad that serves Wayne County.

RESOLUTION NO. 564-07: AUTHORIZATION TO FILL VACANT POSITIONS FOR VARIOUS COUNTY DEPARTMENTS

Mr. Jenkins presented the following:

RESOLVED, that the following Department Heads are hereby authorized to fill the vacant positions listed for their respective departments:

Commissioner of Social Services

- Nursing Home
1 - Household Assistant, FT (due to retirement)
- Social Services
1 - Caseworker (due to retirement)

Superintendent of Buildings and Grounds

1 - Senior Maintenance Mechanic Position (due to resignation)

Director of WBHN

1 - CMHP position (due to resignation)

Sheriff

1 - Receptionist (due to retirement)

Director of Probation

1 - Probation Assistant (due to transfer)

Director of Aging and Youth

1 - Caseworker (due to vacancy)

County Clerk

1 - Part Time Clerk position (due to resignation)

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

RESOLUTION NO. 565-07: ADOPTION OF LOCAL LAW NO. 5-2007: AUTHORIZING A LOCAL LAW AMENDING LOCAL LAW NO. 1-1993 ESTABLISHING THE POSITION OF COUNTY ADMINISTRATOR FOR THE COUNTY OF WAYNE AS AMENDED BY LOCAL LAW NO. 2-1994 AND LOCAL LAW NO. 3-2006

Mr. Jenkins presented the following:

WHEREAS, a proposed local law amending Local Law No. 1-1993 establishing the position of County Administrator for the County of Wayne as amended by Local Law No. 2-1994 and Local Law No. 3-2006, was presented to the Board of Supervisors on August 21, 2007; and

WHEREAS, a public hearing on proposed Local Law No. 5-2007 was held by the Board of Supervisors on Tuesday, September 18, 2007 at 9:30 am, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said Local Law No. 5- 2007 is hereby adopted to read as follows:

COUNTY OF WAYNE - STATE OF NEW YORK

A local law amending Local Law No. 1-1993 establishing the position of County Administrator for the County of Wayne as amended by Local Law No. 2-1994 and Local Law No. 3-2006

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

SECTION 1.

SECTION 3(d) of Local Law No. 1-1993 entitled "ESTABLISHING THE POSITION OF COUNTY ADMINISTRATOR FOR THE COUNTY OF WAYNE AS AMENDED BY LOCAL LAW NO. 2-1994 and LOCAL LAW NO. 3-2006" is hereby amended to read as follows:

"SECTION 3(d) at the time of appointment the County Administrator shall have the following education, training and/or experience:

1. Possess a Bachelors Degree in a business related field from an accredited college or university and have ten (10) years paid full-time management experience in a

large and complex government organization or private enterprise. Preference will be given to the aforesaid government experience.

2. Possess Master of Public Administration or Master of Business Administration degree and have eight (8) years of paid full-time management experience in a large and complex government organization or private enterprise. Preference will be given to the aforesaid government experience.
3. An equivalent combination of education, training and managerial experience listed above.”

SECTION 2. SEPARABILITY

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree, or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree, or order shall have been rendered and the remainder of this local law shall not be affected thereby and shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE

This local law shall take effect on the date it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

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

RESOLUTION NO. 566-07: AUTHORIZATION TO SEEK REQUEST FOR PROPOSALS FOR DRUG AND ALCOHOL TESTING FOR WAYNE COUNTY EMPLOYEES

Mr. Jenkins presented the following:

RESOLVED, that the Wayne County Personnel Officer is hereby authorized to prepare and disseminate a Request for Proposals seeking cost proposals for drug and alcohol testing for Wayne County employees; and be it further

RESOLVED, that the Personnel Officer is hereby directed to present a record of the RFP's at the next meeting of the Board of Supervisors following the opening for final approval.

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

RESOLUTION NO. 567-07: AUTHORIZATION TO CONTRACT WITH FINGER LAKES COMMUNITY COLLEGE TO PROVIDE AN "EXCELLENCE IN GOVERNMENT-EXPANDING HORIZONS" CONTINUING PROFESSIONAL DEVELOPMENT PROGRAM

Mr. Jenkins presented the following:

WHEREAS, Wayne County is desirous of establishing a continuing professional development program for its employees; and

WHEREAS, Finger Lakes Community College proposes utilizing their "Expanding Horizons" program to provide these classes at various sites within Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement, upon review and approval of the County Attorney, with Finger Lakes Community College to provide on-site continued professional development studies to all interested County employees and at a cost of \$30.00 per course per employee; and be it further

RESOLVED, that these continued professional development course be offered to all

Wayne County Town/Municipal Departments for a \$25.00 fee per employee for a three-hour course and a \$30.00 for a four-hour course; and be it further

RESOLVED, that the contract become effective October 1, 2007 and shall continue until modified, amended or terminated by both parties.

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

RESOLUTION NO. 568-07: AUTHORIZING PAYMENT OF LITIGATION COST AND TRANSFER FUNDS - ORCHARD GROVE TRAILER PARK

Mr. Hammond presented the following:

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

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

Town of Ontario: Orchard Grove Trailer Park \$90.44

now, therefore, be it

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

\$2,045.00 to Account No. A1355.4506 (Attorneys) from Account No.A1990.4000 (Contingent Fund General-Contractual Expense); and be it further

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

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

RESOLUTION NO. 569-07: AUTHORIZING PAYMENT OF LITIGATION COST AND TRANSFER FUNDS - DKR INVESTMENTS LLC

Mr. Hammond presented the following:

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

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

Town of Ontario:
DKR Investments LLC \$15.00
(Ames Plaza)

now, therefore, be it

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

\$15.00 to Account No. A1355.4506 (Attorneys) from Account No.A1990.4000 (Contingent Fund General-Contractual Expense); and be it further

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

Mr. Jenkins moved the adoption of the resolution. Seconded by Mr. Colvin. Upon roll call, adopted.

RESOLUTION NO. 570-07: AUTHORIZATION TO PAY SETTLEMENT CLAIM FOR JOYCE

A. WILSON

Mr. Hammond presented the following:

WHEREAS, Joyce A. Wilson filed a claim, dated October 23, 2006 against the County of Wayne; and

WHEREAS, the parties are desirous of settling said claim for a total amount not to exceed \$7,500; now, therefore, be it

RESOLVED, that the claim between Joyce A. Wilson and the County of Wayne has been amicably settled between the parties and payment is hereby approved; and be it further

RESOLVED, that the Wayne the County Treasurer is hereby authorized and directed to issue a check made payable to Joyce A. Wilson and Foley and Foley, as attorneys in the amount of \$7,500, from Account No. A#1930 (Judgment and Claims), as directed by the Wayne County Attorney.

Mr. Colvin moved the adoption of the resolution. Seconded by Mr. Jenkins. Upon roll call, adopted.

RESOLUTION NO. 571-07: AUTHORIZATION TO APPLY FOR DEFENSE SERVICES GRANT FOR PUBLIC DEFENDER'S OFFICE WITH THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES

Mr. DeSanto presented the following:

RESOLVED, that the Public Defender is hereby authorized to apply for a Defense Services Grant through the New York State Division of Criminal Justice Services for \$291,000; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute all necessary documents to implement the grant on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the New York State Division of Criminal Justice Services; and be it further

RESOLVED, that if the full \$291,000 is not refunded, the services identified in this grant will be terminated when the grant is exhausted.

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

RESOLUTION NO. 572-07: AUTHORIZATION EXECUTE CONTRACT TO PURCHASE FIBER REMOTE FROM FRONTRUNNER FOR WAYNE COUNTY BUILDING AND GROUNDS DEPARTMENT

Mr. Fabino presented the following:

WHEREAS, the 400 pair copper cable is failing to provide proper telephone service to the Wayne County Health Services Building; and

WHEREAS, Frontrunner has provided us with a quote as per NYS OGS Contract # PT5821 for the provision of equipment and installation of a Fiber remote to replace the copper and to provide services to the Health Services Building; 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 Frontrunner in the amount of \$49,042.00.

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

RESOLUTION NO. 573-07: AUTHORIZATION TO ACCEPT PROPOSAL FROM SPRING SHEET METAL FOR PROVISION OF THE ICE AND WATER SHIELD FOR THE COURT HOUSE DOME ROOF REPLACEMENT PROJECT

Mr. Fabino presented the following:

WHEREAS, Resolution No. 324-07 authorized the contract with Spring Sheet Metal & Roofing for repairs and replacement for the Court House Dome Roof Replacement Project; and

WHEREAS, Spring Sheet Metal & Roofing has proposed to provide an ice & water shield

on the entire existing dome service, in lieu of only the one-third portion of the existing lower dome service; and

WHEREAS, the Garland Company, the consultant of said project, has agreed that the proposed changes are considered necessary; and

WHEREAS, Superintendent of Buildings and Grounds and the Buildings and Grounds Committee have reviewed and approved this change order request to Spring Sheet Metal & Roofing for the Court House Dome Roof Replacement Project; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the following change order:

CONTRACTOR	COST OF ADDITIONAL WORK
Spring Sheet Metal & Roofing	\$2,500.00

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

RESOLUTION NO. 574-07: AUTHORIZATION TO INCREASE PETTY CASH FUND AMOUNT FOR THE COUNTY CLERK'S OFFICE

Mr. Young presented the following:

RESOLVED, that the Office of the County Clerk is hereby authorized to increase their petty cash fund to \$180, from the previous established amount of \$160, for use by the Office of the County Clerk for the purpose of providing change to customers; and be it further

RESOLVED, that funds in the amount of \$20 are to be taken from Cash Account No. A120010.

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

RESOLUTION NO. 575-07: AUTHORIZATION FOR THE COUNTY TREASURER TO APPROPRIATE FUNDS FOR APPROVED BRIDGE CONSTRUCTION PROJECTS

Mr. Lyon presented the following:

WHEREAS, the County has to up-front 100% of the costs of bridge projects; and

WHEREAS, Erie Street Bridge, Sodus Center Road Bridge, LeRoy Island Bridge and the Maxwell Creek Bridge Projects are current approved bridge projects in which the expenditures will be incurred; and

WHEREAS, the county may have to transfer general fund surplus into the D Fund from time to time until reimbursement is received; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized and directed to appropriate general fund surplus on an as needed basis to the D Fund for expenditures related to the Erie Street Bridge, Sodus Center Road Bridge, LeRoy Island Bridge and the Maxwell Creek Bridge Projects until the reimbursement is received.

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

RESOLUTION NO. 576-07: AUTHORIZING THE IMPLEMENTATION AND FUNDING OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS

Mr. Lyon presented the following:

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

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of Wayne County, subject to the County Attorney's approval, with Lu Engineering for the design & engineering of sign inventory at a cost not to exceed \$275,000, and further

RESOLVED, that Federal Marchiselli funds will be utilized with the local share of the funds for the design and engineering phase be funded from CHIPS, and further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2007 County Budget as follows:

D51122- ROAD CONSTRUCTION:

Increase .52678 Signage Project by \$275,000

D99990 – OTHER:

Increase .43511 Consolidated Highway Aid by \$55,000

Increase .44511 Marchiselli Funds by \$220,000

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

RESOLUTION NO. 577-07: AUTHORIZATION TO APPOINT MEMBER TO WORKFORCE INVESTMENT BOARD

Mr. Plant presented the following:

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

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

WHEREAS, terms of appointment for each member will be made in accordance with the Finger Lakes Workforce Investment Board By-Laws; now, therefore, be it

RESOLVED, that this Legislature does hereby appoint the following to the Finger Lakes Workforce Investment Board:

Dr. Barbara Risser
FLCC President
4355Lake Shore Drive
Canandaigua, NY 14424

Term of Office ending June 30, 2010

RESOLVED, that certified copies of this resolution be sent to the appointees, to the Wayne, Ontario, Seneca, and Yates County Departments of Workforce Development, and to the Executive Director of the Workforce Investment Board.

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

RESOLUTION NO. 578-07: AUTHORIZATION TO EXECUTE RENEWAL AGREEMENT BETWEEN COUNTY OF WAYNE AND SODEXHO OPERATIONS, LLC

Mr. Plant presented the following:

WHEREAS, the contract with Sodexho Operations, LLC became effective January 1, 2005 and will expire on December 31, 2007; and

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a renewal agreement 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, 2008 – December 31, 2008, based on the same terms and conditions as contained in the current agreement.

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

RESOLUTION NO. 579-07: AUTHORIZATION TO EXECUTE AGREEMENT BETWEEN THE WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH AND DEPARTMENT OF SOCIAL SERVICES TO PROVIDE OUTREACH ACTIVITIES – HOME ENERGY ASSISTANCE PROGRAM (HEAP)

Mr. Plant presented the following:

RESOLVED, that the Commissioner of the Department of Social Services is hereby authorized to execute an Agreement with Wayne County Department of Aging and Youth to provide outreach activities during the period 8/21/07-9/30/08, for the total sum of \$19,000 subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 580-07: AUTHORIZE CONTRACT WITH WAYNE COUNTY ACTION PROGRAM, INC. FOR RESPITE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Plant presented the following:

WHEREAS, New York State PINS legislation mandates each county to provide respite services as an alternative to non-secure detention; and

WHEREAS, the cost of non-secure detention is significantly higher than the cost of respite services; and

WHEREAS, the Wayne County Action Program, Inc., in the past, has provided respite services to the PINS/Preventive program in Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract, subject to review by the County Attorney, with the Wayne County Action Program, Inc. for the provision of respite services for the timeframe 1/1/07-12/31/07 at a per diem rate of \$75.00.

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

RESOLUTION NO. 581-07: AUTHORIZATION TO NOTIFY STATE AUTHORITIES OF URGENT CASH-FLOW NEEDS OF THE WAYNE COUNTY NURSING HOME

Mr. Plant presented the following:

WHEREAS, Nursing Homes across New York State, especially county nursing homes, are experiencing a severe cash flow shortage; and

WHEREAS, Wayne County Nursing Home is among them and presently has approximately \$2 Million owed to it by New York State that it desperately needs to cover its expenses; and

WHEREAS, a significant portion of these monies have been in process for many months with 'promise' of their arrival, but are being put off again and again; and

WHEREAS, County Taxpayers are forced to pay an undue burden for the States' lack of timeliness in providing reimbursements and other monies promised to Counties and other Nursing Homes; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby calls upon our State Representatives, Governor, the New York State Department of Health and New York State Division of Budget to support the efforts to expedite payments due to the Wayne County Nursing Home and all County Nursing Homes as they fulfill their integral role as part of the safety net for New York's senior population; and be it further

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to send certified copies of this resolution to Governor Eliot Spitzer, New York State Assembly Leader Sheldon Silver, New York State Senate Leader Joseph L. Bruno, Assemblymen Robert C. Oaks, Senator Michael F. Nozzolio, NYS Department of Health; NY State Division of Budget and the New York State Association of Counties.

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

RESOLUTION NO. 582-07: AUTHORIZATION TO EXECUTE CONTRACT WITH ROCHESTER GENESEE REGIONAL TRANSPORTATION AUTHORITY AND WATS TO PROVIDE TRANSPORTATION SERVICES (RECIND RESOLUTION NO. 116-07)

Mr. Plant presented the following:

WHEREAS, Resolution No. 116-07 authorized a contract with the Rochester Genesee Regional Transportation Authority (RGRTA) for the Wayne Area Transportation System (WATS) to provide on-demand transportation service; and

WHEREAS, funding provided to Wayne County DSS and RGRTA has changed since the date of that resolution; and

WHEREAS, RGRTA and Wayne County DSS have reached an agreement based on this new funding arrangement for RGRTA to pay \$10,431/month for 4/1/07-9/30/07 and for Wayne DSS to pay \$10,431/month for 10/1/07-3/31/08; and

WHEREAS, such an agreement would provide an integral and necessary service to TANF eligibles and potentially increase participation rates; 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 RGRTA/WATS to provide an on-demand transportation service during the timeframe 4/1/07-3/31/08 at a total county cost not to exceed \$62,586, 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 Resolution No. 116-07 is hereby rescinded.

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

RESOLUTION NO. 583-07: AUTHORIZATION TO EXECUTE CONTRACT FOR NY CONNECTS BETWEEN DEPARTMENT OF SOCIAL SERVICES AND THE DEPARTMENT OF AGING AND YOUTH

Mr. Plant presented the following:

WHEREAS, Wayne County has implemented a Single Point of Information program termed "NY Connects"; and

WHEREAS, the Wayne County Department of Aging & Youth has been named as the lead agency for this endeavor; and

WHEREAS, the possibility of federal financial participation through the Medicaid Program makes having the Commissioner of the local Department of Social Services a logical choice to sign the contract; and

WHEREAS, Wayne County Department of Social Services will function as the fiscal agency for this contract; now, therefore, be it

RESOLVED, that the Commissioner of Wayne County Department of Social Services is hereby authorized to sign the "NY Connects" Contract, subject to the review of the Wayne County Attorney.

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

RESOLUTION NO. 584-07: AUTHORIZE BIDDING FOR PHARMACY SERVICES AT THE WAYNE COUNTY NURSING HOME

Mr. Plant presented the following:

WHEREAS, the present contract with NCS/OMNICARE for pharmacy services is due to expire on 12/31/07; and

WHEREAS, the Wayne County Nursing Home is desirous of entertaining other bids for these services; and

WHEREAS, pharmacy services may be able to be provided more cost-effectively than at present while still meeting the Nursing Home's needs; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed

to advertise for bids for pharmacy services at the WCNH for the 1/1/08-12/31/08, in accordance with specifications prepared by the Nursing Home Administrator and Commissioner of the Department of Social Services, and approved by the County Attorney as to content and form; and be it further

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

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

RESOLUTION NO. 585-07: AUTHORIZE WAYNE COUNTY NURSING HOME TO SUBMIT FUNDING APPLICATION

Mr. Plant presented the following:

WHEREAS, New York State Department of Health (NYS DOH) is making grant monies available for Nursing Homes in New York State to support the use of information technology (IT) to provide better on-time care; and

WHEREAS, the Wayne County Nursing Home (WCNH) is desirous of implementing an IT system which will not only allow for better on-time care but also allow more accurate and timely billing for services rendered; and

WHEREAS, in 2009 such a billing and on-time care system comprising 53 categories of care will be mandated; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home is hereby authorized to submit a funding application to secure monies from New York State to help offset the cost of the anticipated IT system.

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

RESOLUTION NO. 586-07: AUTHORIZATION TO ACCEPT GRANT FOR THE PRESERVATION LEAGUE OF NEW YORK STATE "PRESERVE NY" AND CREATE LINE ITEMS FOR THE HISTORIAN OFFICE

Mrs. Collier presented the following:

WHEREAS, the County Historian applied for grant funding through the "Preserve New York Grant Program" for local preservation projects throughout the state; and

WHEREAS, the County Historian has received confirmation from the "Preserve New York Grant Program", a partnership program of the Preservation League of New York State and the New York State Council on the Arts; now, therefore, be it

RESOLVED, that said grant funding is hereby accepted in the amount \$8,000.

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

RESOLUTION NO. 587-07: TRANSFER OF FUNDS FOR VARIOUS COUNTY DEPARTMENTS

Mr. Colvin presented the following:

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

Sheriff's Department

Juvenile Office: \$1,217.10 from A31132.52500

Road Patrol: \$585.94 from A31142.52500

Detective: \$878.91 from A31152.52500

Jail: \$2,518.21 from A31502.52500

TRANSFER: Sheriff: \$5,200.16 to A31104.54425

Account No. A3640 - Emergency Management Office

\$806.00 to .54574 SARA Title III
\$806.00 to .43317 SARA Title III (Revenue)

Account No. DM51304 – Machinery

Increase the following Appropriations:

.54121 (Diesel) by \$80,000

Increase the following Revenue:

Account No. DM51300 - Machinery

.42304 (Material Reimbursements) by \$80,000

Account No. A7310 – Youth Bureau

Increase Revenue

42760 (FACT) \$5,000

42770 (CBAPP) \$4,845

43584 (OMH) \$1,671

TOTAL \$11,516

Reduce & Transfer from

51253 (Caseworker) \$6,800

54493 (Clk. Serv. Cnt) \$7,300

TOTAL \$14,100

Transfer to

52200 (Office Equip) \$1,950

54150 (Office Sup) \$2,443

54230 (Telephone) \$ 500

54400 (Contracted Serv) \$ 800

54485 (Travel) \$7,000

54654 (WRAP around) \$1,000

58400 (Hospitalization) \$11,923

TOTAL \$25,616

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

RESOLUTION NO. 588-07: APPROVE LOAN OF COUNTY VEHICLE TO THE VILLAGE OF LYONS

Mr. Colvin presented the following

WHEREAS, the Wayne County Sheriff's Department has declared the 2003 Ford Crown Victoria surplus (VIN #2FAFP71W33X121828) due to high mileage; and

WHEREAS, the Village of Lyons is interested in obtaining this vehicle on loan from the County of Wayne in "as is" condition; now, therefore, be it

RESOLVED, that the County of Wayne ("County") shall loan one (1) surplus vehicle - 2003 Ford Crown Victoria surplus (VIN #2FAFP71W33X121828) to the Village of Lyons, provided that the Village of Lyons shall execute a vehicle loan agreement containing the following terms and conditions:

1. At all times after delivery of the vehicle by the County to the Village of Lyons and until termination of the agreement, (hereinafter referred to as the "loan period"), the vehicle shall be deemed to be under the care, custody, and control of the Village of Lyons. The Village of Lyons shall be responsible for all maintenance and repair of the vehicle during the loan period.
2. The Village of Lyons shall indemnify the County for all damages to, or loss of, the vehicle during the loan period;
3. Notwithstanding the limits of liability of any policy of insurance maintained by the Village of Lyons, the Village of Lyons shall defend, indemnify, and hold harmless the County and

its officers, employees, and agents from all liabilities, claims, actions, damages, costs, and expenses (including, but not limited to, attorneys' fees) of every nature and description arising out of the use or operation of the vehicle during the loan period. The Village of Lyons's duties and obligations pursuant to this paragraph shall survive the termination or expiration of this agreement.

4. (a) At all times during the loan period, the Village of Lyons shall maintain Automobile Liability Insurance coverage for the vehicle with a combined single limit for Bodily Injury and Property Damage of not less than \$1,000,000 each accident;
- (b) Upon execution of the agreement, the Village of Lyons shall furnish the County with a Certificate of Insurance evidencing that a policy for the required Automobile Liability Insurance coverage has been issued and is in effect. If the policy expires or is cancelled during the term of this agreement, the Village of Lyons shall immediately furnish a Certificate of Insurance evidencing proper renewal or replacement of the policy. The Village of Lyons shall use the WC Standard Insurance Certificate form, except that the IIA/ACORD form Certificate of Insurance may be used provided the Cancellation provision set forth in Section VII on the WC Standard Insurance Certificate is added verbatim to the form.
5. The agreement shall take effect immediately upon execution by the parties and shall terminate automatically when the Village of Lyons returns the vehicle to the County. The County also may terminate the agreement upon ten (10) days written notice of termination to the Village of Lyons;

and be it further

RESOLVED, that the Chairman of the WC Board of Supervisor is hereby authorized and directed to execute the vehicle loan agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 589-07: AUTHORIZATION TO PURCHASE EQUIPMENT AND FURNISHINGS FOR CERTAIN COUNTY DEPARTMENTS

Mr. Colvin presented the following:

RESOLVED, that the following Department Heads are hereby authorized to purchase the following furnishings and equipment from state bid contract or best quotes according to the County's regulations and policies for purchasing and bidding:

Nursing Home Administrator

7000657	1 – Walker	199.00	199.00
	Shipping and Handling	59.85	59.85
7000660	3 - Digital Voice Recorder	179.99	539.97
	2 - PC Transcription Kit - Digital	53.06	306.12
	Shipping and Handling	100.43	100.43

Director of Probation

7000669	1 - Laptop Computer	950.00	950.00
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Director of Public Health

7000662	1 – PC Equipment	556.00	556.00
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Mr. Hammond moved the adoption of the resolution. Seconded by Ms. Park. Upon roll call, adopted.

RESOLUTION NO. 590-07: AUTHORIZATION TO RENEW CONTRACT WITH RAYMOND F. WAGER, CPA FOR AUDITING SERVICES FOR THE COUNTY OF WAYNE.

Mr. Colvin presented the following:

WHEREAS, Wayne County accepted a proposal from Raymond F. Wager CPA, to provide auditing and professional services in 2006 that was renewable for three years; now, therefore, be it

RESOLVED, that this contract be renewed for 2007 consistent with the accepted proposal with a cost not to exceed \$86,000.

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

RESOLUTION NO. 591-07: AUTHORIZATION TO CREATE AND FILL SENIOR COMPUTER OPERATOR POSITION AND TRANSFER FUNDS FOR INFORMATION TECHNOLOGY DEPARTMENT

Mr. Colvin presented the following:

WHEREAS, the duties of a Senior Computer Operator are required in the Information Technology Data Center and are currently being performed Pat Blankenberg, who holds the current position title of Computer Operator; and

WHEREAS, with only one Operator on staff, the position demands a senior level of responsibility to perform the day to day task required; now, therefore, be it

RESOLVED, that one (1) Senior Computer Operator Position is hereby created in the Information Technology Department; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer all remaining funds within the account as follows:

Account No. A1680 – Information Technology

All remaining funds from .51194 (Computer Operator) to A1680.5 (Senior Computer Operator Position) when account number is assigned by the Personal Department and be it further

RESOLVED, that upon successful completion of Civil Service requirements, the position of Computer Operator is hereby abolished.

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

RESOLUTION NO. 592-07: AUTHORIZATION TO ADVERTISE FOR BIDS TO DEMOLISH COUNTY BUILDING NO. 0002, LOCATED AT 22 CHURCH STREET, LYONS, NY

Mr. Colvin presented the following:

WHEREAS, County Office Building No. 0002, located at 22 Church Street, Lyons NY, has been vacant for several years; and

WHEREAS, said building would require substantial repair and renovation before it could be occupied and used for County business purposes; and

WHEREAS, the Wayne County Board of Supervisors believes that it would be more cost efficient to demolish said building; because of the substantial amount of repairs and renovations that are necessary to rehabilitate said building; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for the demolition and removal of County Building No. 0002, located at 22 Church Street, Lyons NY, in accordance with specifications prepared by the Wayne County Superintendent of Buildings & Grounds and approved by the County Attorney as to content and form; and be it further

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

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

RESOLUTION NO. 593-07: AUTHORIZATION FOR WAYNE BEHAVIORAL HEALTH NETWORK TO CONTRACT WITH BARBARA HART, RN FOR UTILIZATION REVIEW AUDITING SERVICES

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network is required to conduct regular utilization review to ensure compliance with regulatory guidelines related to admissions and continued stay criteria; and

WHEREAS, WBHN presently utilizes the departments internal professional staff resources to conduct this necessary work; and

WHEREAS, contracting with an independent qualified health care professional would create a savings and be more financially advantageous for the agency and the County, and also would enhance the WBHN compliance program from a QA/QI perspective, and also would allow the departments professional staff to utilize this time usually spent in this activity to be redirected to providing services to County residents and to generate revenues; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract on behalf of the County of Wayne & Wayne Behavioral Health Network, subject to the County Attorney's approval as to form and content, with Barbara Hart, RN at a rate of \$5.50 per chart for medical record utilization review auditing services, for the period of 9/19/07–12/31/07, and as per WBHN budgeted funds for said contractual services.

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

RESOLUTION NO. 594-07: AUTHORIZATION TO AMEND RABIES APPENDIX C CONTRACT FOR WAYNE COUNTY PUBLIC HEALTH DEPARTMENT

Ms. Park presented the following:

WHEREAS, Wayne County Public Health has a contract with the NYS DOH Bureau of Communicable Disease Control for the Rabies Program; and

WHEREAS, a new Appendix C was incorporated into the agreement for the reimbursement of rabies expenses for the period April 1, 2006 to March 31, 2007; and

WHEREAS, the original allocation was for \$11,000; and

WHEREAS, we were recently notified by NYS DOH that the Rabies Program will be receiving an increase for a new total of \$14,413.91 to reflect the total of all vouchers submitted for the SFY 2006-07 grant period; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to accept the revised new Appendix C to the Rabies Program contract for the period April 1, 2006 to March 31, 2007.

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

RESOLUTION NO. 595-07: AUTHORIZATION TO SUBMIT A BUDGET AND WORKPLAN FOR EARLY INTERVENTION ADMINISTRATION AND EXECUTE CONTRACT.

Ms. Park presented the following:

WHEREAS, Wayne County Public Health wishes to renew its contract with NYS DOH Early Intervention Administration contract for the October 1, 2007 to September 30, 2008 in the amount of \$71,507; and

WHEREAS, WCPH must submit a budget and work plan by September 21, 2007 prior to receiving funding; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to submit a budget and work plan, and that the Chairman of the Board of Supervisors is hereby authorized to execute the contract, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content for the period October 1, 2007 to September 30, 2008.

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

RESOLUTION NO. 596-07: AUTHORIZATION TO AMEND RESOLUTION NO. 561-07: AUTHORIZATION TO EXECUTE APPLICATION FOR STATE TOURISM MATCHING FUNDS AND DESIGNATE PROJECT DIRECTOR

Mr. Spickerman presented the following:

RESOLVED, that Resolution No. 561-07 is hereby amended to read as follows:

“RESOLVED, that the Wayne County Office of Tourism and Promotion is hereby designated as the Tourist Promotion Agency for the County of Wayne (“County”) for the purpose specified in the New York State Promotion Act: and be it further

RESOLVED, that the Director of Wayne County Office of Tourism and Promotion is hereby authorized to apply on behalf of the County for funding under the 2007-2008 New York State Matching Grant Program for the County Tourism Project

County Share \$ 263,850

State Share \$ 263,850

RESOLVED, that Christine Worth is hereby designated Project Director and authorized to execute the grant application on behalf of Wayne County.”

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

RESOLUTION NO. 597-07: AUTHORIZATION TO PURCHASE EQUIPMENT FOR TOURISM OFFICE AND TRANSFER FUNDS

Mr. Spickerman presented the following:

RESOLVED, that the Tourism Office is hereby authorized to purchase the following equipment from A6410-2500 according to the rules for purchasing established by the Board of Supervisors:

1 Digital Camera \$375.00

RESOLVED, that the County Treasurer is authorized and directed to make the following transfer of funds within the Tourism Department Budget:

Account No. A6410 – Wayne County Tourism

\$375.00 from .54460 (Promotion) to .52500 (Equipment).

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

RESOLUTION NO. 598-07: AUTHORIZATION TO EXECUTE CONTRACT WITH COBURN DESIGN FOR THE 2008 VISITOR’S GUIDE

Mr. Spickerman presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney’s approval as to form and content, with Coburn Design, 238 Genesee Street, Auburn, NY 13021 for the Design of 2008 Wayne County Visitor’s Guide, at a total cost not to exceed \$3,800.

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

RESOLUTION NO. 599-07: AUTHORIZATION TO ADVERTISE FOR BIDS TO PRINT 2008 WAYNE COUNTY VISITOR GUIDE

Mr. Spickerman presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for printing of the 2008 Wayne County Visitor Guides in accordance with specifications prepared by the Director of Tourism and Publicity and approved by the County Attorney as to content and form; and be it further

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

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

RESOLUTION NO. 600-07: APPOINTMENT TO WAYNE COUNTY PLANNING BOARD

Mr. Spickerman presented the following:

WHEREAS, Ralph Tavano has resigned his position on the County Planning Board; now, therefore, be it

RESOLVED, that Ronald Thorn, 156 Desmond Road, Clyde, New York is appointed to fill the vacancy on the County Planning Board created by the resignation of Ralph Tavano for a term of office effective immediately and expiring April 30, 2009.

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

RESOLUTION NO. 601-07: AUTHORIZE SNOWMOBILES TO USE WALLINGTON TO SODUS POINT TRAIL

Mr. Spickerman presented the following:

WHEREAS, Wayne County has cleared the former railroad bed from Wallington to Sodus Point and established a multi-use trail; and

WHEREAS, Resolution 469-98 authorized the use of snowmobiles on existing County trails and endorsed the development of additional snowmobile trails in partnership with local snowmobile clubs and organizations; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the use of snowmobiles on the Wallington to Sodus Point Trail and authorizes local snowmobile clubs to assist in clearing and maintaining the trail for use by snowmobiles.

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

RESOLUTION NO. 602-07: AUTHORIZATION TO EXECUTE AGREEMENT WITH OMNIPOINT COMMUNICATIONS FOR E-911 COMMUNICATIONS

Mr. Colvin presented the following:

WHEREAS, Omnipoint Communications Inc., representing the wireless communications company T-Mobile, has expressed an interest in leasing space on the communications tower owned by the County located at 3625 Lorraine Drive in Walworth; and

WHEREAS, prior to entering into a lease for the site, Omnipoint would like to conduct certain propagation studies to confirm feasibility of the site for their use, with such tests to total no more than eight hours in duration; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to sign an Entry and Testing Agreement between the County and Omnipoint, to allow Omnipoint to conduct the above mentioned tests at no cost to the County; and be it further

RESOLVED, that, should Omnipoint determine that the site is suitable for its needs, the County Attorney and the 911 Coordinator shall be authorized to negotiate a lease agreement with Omnipoint, or T-Mobile (as appropriate), with monthly rent amounts as agreed to by the Public Safety Committee; and be it further

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute such lease for tower and site space at the Walworth site, once the form and content of the lease have been approved by the County Attorney, the 911 Coordinator, and the Public Safety Committee.

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

RESOLUTION NO. 603-07: AUTHORIZATION TO DECLARE VEHICLES SURPLUS FOR THE SHERIFF'S OFFICE

Mr. Colvin presented the following:

RESOLVED, that the following vehicles, no longer of use to the Wayne County Sheriff's

Office are hereby declared surplus and the vehicles have been moved to Central Garage in accordance with the Surplus Vehicle Disposition Procedure outlined in Resolution No. 375-91.
2001 Ford CV unmarked VIN: 2FAFP71W71X179552 120,861 miles – totaled
2003 Ford CV marked VIN: 2FAFP71W33X121828 136,850 miles
1996 Dodge Van B350 VIN: 2B5WB35ZXRK156192 49,097 miles
1996 Dodge Van B150 VIN: 2B4HB15Y1RK154923 64,486 miles

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

RESOLUTION NO. 604-07: AUTHORIZATION TO RECLASSIFY POSITION IN THE SHERIFF'S OFFICE AND TRANSFER FUNDS

Mr. Colvin presented the following:

WHEREAS, that the Clerk Typist is unable to perform certain functions within her position, due to her job description and title; now, therefore, be it

RESOLVED, that the FT Clerk Typist position in the Sheriff's Office is hereby reclassified in accordance with Wayne County Civil Service Rules and Regulations to Criminal Records Clerk, effective September 18, 2007; and be it further

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

Account No. A3110 - Administration

\$16,278.78 from .51695 (FT Clerk Typist) to .51367 (Criminal Records Clerk)

and be it further

RESOLVED, that the FT Clerk Typist position is hereby abolished.

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

RESOLUTION NO. 605-07: AUTHORIZATION TO REGISTER WITH THE EMERGENCY MANAGEMENT ACCREDITATION PROGRAM

Mr. Colvin presented the following:

WHEREAS, Wayne County is one of six counties in New York State at risk for a nuclear power plant accident; and

WHEREAS, HAZNY, a computerized hazard analysis program identified two (2) other types of "High Hazards" and seven (7) other types "Moderately High Hazards" that exist in Wayne County; and

WHEREAS, the Wayne County Emergency Management Office desires to be as prepared as possible to mitigate, plan, respond and recover from disasters of any type; and

WHEREAS, the Emergency Management Accreditation Program evaluates and improves the delivery of emergency management services to the public through accreditation of government emergency management programs; now, therefore, be it

RESOLVED, that the Director of Emergency Management is hereby authorized to expend \$125.00 from A3640.54181 Training Materials to register with the Emergency Management Accreditation Program.

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

RESOLUTION NO. 606-07: AUTHORIZATION TO FILL POSITION FOR THE EMERGENCY MANAGEMENT OFFICE

Mr. Colvin presented the following:

WHEREAS, the position of Radiological Officer for the Emergency Management Office was vacated effective May 18, 2007; and

WHEREAS, this position is funded through nuclear facility support funds and is totally reimbursable and will not require any benefits other than FICA payments; now, therefore, be it
RESOLVED, that the Director of Emergency Management is hereby authorized to fill one (1) Radiological Officer position per CSEA union hire rate on a part-time basis with a yearly salary not to exceed \$2,000.

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

RESOLUTION NO. 607-07: AUTHORIZE ADJUSTMENTS TO OPERATIONS OFFICER AND TRAINING OFFICER BUDGETS

Mr. Colvin presented the following:

WHEREAS, Resolution No. 488-06 reduced the position of Training Coordinator for the Emergency Management Office from full-time to part time (approximately one-quarter time), with a yearly salary not to exceed \$8,000; and

WHEREAS, this position continues to be funded through nuclear facility support funds and is totally reimbursable and will not require any benefits other than FICA payments; and

WHEREAS, Account No. A3640.51284 (Training Coordinator) has expended all but \$697.17 of the \$8,000 budgeted for 2007; said \$697.17 required to fund necessary training during the months of September, October, November, and December; and

WHEREAS, Account No. Radiological Officer and Operations Officer positions are currently vacant and being filled by the Interim Director; and

WHEREAS, the Emergency Management Department will run a surplus in the .1000 line in 2007, even with the proposed increase in Training Coordinator hours; and

WHEREAS, additional manpower is required in the Emergency Management Department to fulfill necessary job functions until the Radiological Officer and Operations Officer positions are filled; now, therefore be it

RESOLVED, that the annual salary for the Training Officer is hereby increased to \$16,000; and be it further

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

Account No. A3640 – Emergency Management

\$5,000 from .51494 (Operations Officer) to .51284 (Training Officer)

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

RESOLUTION NO. 608-07: AUTHORIZATION TO EXECUTE NY CONNECTS GRANT APPLICATION FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Molino presented the following:

WHEREAS, the NY Connects is a NY State mandate to establish a system providing a full range of public education, information, initial screening, assistance, needs assessment to all those who are interested in exploring the available options for long term care services, regardless of age or disability; and

WHEREAS, this initiative will be a resource to provide consumers comprehensive and unbiased information and assistance in all long term care services and supports regardless of payer source and the goal of NY Connects is to inform long term care consumers of their options, stressing more appropriate and less restrictive community-based alternatives of care in order to reduce the need and delay entry into a more costly institutional level of care; and

WHEREAS, NY State Office for Aging and the NYS Department of Health have notified Wayne County of the opportunity to apply for funding in the amount of \$52,000 to administer

this program; now, therefore, be it

RESOLVED, that the Department of Aging and Youth is hereby authorized to apply for the NY Connects funding in the amount of \$52,000; and be it further

RESOLVED, that this grant is 100% funded, with the program year running from October 1, 2007 through September 30, 2008.

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

RESOLUTION NO. 609-07: AUTHORIZATION TO APPLY FOR TITLE V FUNDING FOR DEPARTMENT OF AGING AND YOUTH

Mr. Molino presented the following:

WHEREAS, under the Federal Older Americans Act, the Department of Aging and Youth is eligible to receive Title V funding in order to provide employment and job training services for seniors, ages 55 and older that meet income eligibility requirements; and

WHEREAS, these employment services are provided through a contract with Workforce Development; and

WHEREAS, the Title V allocation in the amount of \$37,757 has been designated for Wayne County and a grant application needs to be submitted in order to receive these funds; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an application on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, for funding under Title V of the Older American Act in the amount of \$37,757, for the period 7/1/07 - 6/30/08, for provision of employment and job training services for seniors, ages 55 and older that meet income eligibility requirements.

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

RESOLUTION NO. 610-07: AUTHORIZATION TO RENEW CONTRACT WITH WORKFORCE DEVELOPMENT FOR TITLE V SENIOR EMPLOYMENT SERVICES

Mr. Molino presented the following:

WHEREAS, under the Older Americans Act it allocates Title V funding to the local Offices of Aging to provide employment and training services to income eligible seniors over 55; and

WHEREAS, the Department of Aging and Youth contracts with Workforce Development to provide subsidized employment and training services for persons 55 and older; now, therefore, be it

RESOLVED, that our department request authorization to renew the Title V contract with Wayne County Workforce Development in the amount of \$39,813 for the grant period of July 1, 2007 through June 30, 2008.

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

RESOLUTION NO. 611-07: AUTHORIZATION TO PURCHASE SERVICE GUIDES FOR YOUTH

Mr. Molino presented the following:

WHEREAS, the Department of Aging and Youth has received a grant allocation from Wayne County Action Program as part of the NYS Dept. of Health's Community Based Adolescent Pregnancy Prevention Project to provide information countywide to youth; and

WHEREAS, the Department of Aging and Youth would like to contract with Key Industries to print 5,000 service guides. The guides will list services available to youth and their families throughout Wayne County. The service guides will be distributed at the annual Youth Conference and to each school district; now, therefore, be it

RESOLVED, the Department of Aging and Youth is requesting authorization to contract with Key Industries for 5,000 service guides at a total of \$183.00.

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

RESOLUTION NO. 612-07: AUTHORIZATION TO APPOINT YOUTH BOARD MEMBERS

Mr. Molino presented the following:

WHEREAS, the Department of Aging and Youth continues to increase youth representation on the Wayne County Youth Board; now, therefore, be it

RESOLVED, that our department request authorization from the Chairman of the Board of Supervisors to appoint to the Wayne County Youth Board the following individuals:

Kari Ellinger
2407 Reed Rd.
Savannah, NY 13146

Jean Roegiers
199 Dublin Rd.
Lyons, NY 14489

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

RESOLUTION NO. 613-07: AUDIT OF CLAIMS – SEPTEMBER 18, 2007

Mr. Colvin 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 are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$ 1,555,084.65
2. D Fund	\$ 942,353.79
3. DM Fund	\$ 107,332.48
4. E Fund	\$ 317,655.59
5. H Fund	\$ 21,871.42
6. MS Fund	\$ 4,000.00
7. S Fund	\$ 32,779.00
Warrant Total	\$ 2,981,076.93

and be it further

RESOLVED, that the following utilities totaling \$101,137.64, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$ 68,757.39
2. DM Fund	\$ 2,506.14
3. E Fund	\$ 29,874.11
Utility Total	\$ 101,137.64

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling \$84,989.88, are hereby ratified:

1. Nursing Home	\$ 79,811.00
2. Sheriff's Office	\$ 4,471.88
3. Social Services	\$ 400.00
4. Wayne Behavioral Health	\$ 307.00
Misc. Disbursement Total	\$ 84,989.88

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

RESOLUTION NO. 614-07: AUTHORIZATION TO APPOINT ROBERT C. DIENER AS

DIRECTOR OF REAL PROPERTY TAX SERVICES AND SET SALARY (DEFEATED)

Mr. Colvin presented the following:

RESOLVED, that Robert C. Diener is hereby appointed as Director of Real Property Tax Services at an annual salary of \$65,608, effective September 19, 2007.

Mr. Spickerman moved the adoption of the resolution. Seconded by Mr. Young.

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

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

Upon roll call, all Supervisors voted Nay except Supervisors Spickerman, Fabino, Molino and Colvin who voted Aye. Absent – Supervisor Bender. The Chairman declared the Resolution defeated.

RESOLUTION NO. 615-07: ACCEPTING SECOND BIDS FOR TAX AUCTION PROPERTIES

Mr. Hammond presented the following:

WHEREAS, pursuant to Resolution No. 314-07 certain properties acquired by the County by tax deed were sold at public auction sale held June 20, 2007; and

WHEREAS, such properties were sold at the public auction sale subject to approval and acceptance of the bids by the Board of Supervisors; and

WHEREAS, some of the first bidders defaulted on paying the balance of payment within the prescribed time period as detailed in the terms and conditions; and

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 second bids listed below and such bids are hereby approved and accepted; the Chairman of the Board of Supervisors is hereby authorized and directed to execute a quit-claim deed for each parcel, subject to approval of the form of the deed by the County Attorney, and to affix the seal of the Board of Supervisors to such deeds; and the payments required by the terms and conditions of sale:

TOWN OF LYONS, VILLAGE OF LYONS

	Name	Bid
TXM# 71111-05-194996	Joseph Elewononi 956 Cayuga Street Box 103 Hannibal, NY 13074	\$9,000

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

Mr. Fabino moved, seconded by Mr. Colvin that two (2) resolutions be allowed on the floor under Other Business. Upon roll call, carried.

RESOLUTION NO. 616-07: AUTHORIZATION TO AMEND COUNTY BUDGET FOR WAYNE COUNTY CENTRAL GARAGE

Mr. Lyon presented the following:

RESOLVED, that the County Treasurer is hereby authorized to amend the 2007 County Budget as follows:

Account No. A1640 - Central Garage

Increase the following Appropriations:

.2000 (Equipment) by \$2,640

Increase the following Revenue:

Account No. A1640.1272 Central Garage Revenue by \$2,640

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

call, adopted.

RESOLUTION NO. 617-07: AUTHORIZATION FOR THE COUNTY TREASURER TO PREPAY POSTAGE FOR THE TAX ENFORCEMENT PROCEEDINGS

Mr. Colvin presented the following:

WHEREAS, new NYS Statutes require certified mailing to interested parties as well as property owners; and

WHEREAS, this certified mailing is to be prepared by the US Postal Service; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to prepay the US postal Services or agent for the preparation of this mailing, at a cost not to exceed \$15,000.

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

ANNOUNCEMENT:

Chairman Hoffman announced that the Board of Supervisors is invited to a Luncheon being provided by the Newark Library at 12 noon today.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, October 16, 2007 at 9:00 a.m.

On motion of Mr. LeRoy and Ms. Park, the Board adjourned at 10:37 a.m. Carried.

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