

20<sup>th</sup> Day  
 Tuesday, October 18, 2005  
 9:00 a.m.

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

Upon roll call, all Supervisors were present and board members responded by introducing their "4-H Supervisor for a Day".

Arcadia .....	Leslie Flannery
Butler .....	Sidney Pruitt
Galen .....	Julie Williams
Huron .....	Janna Draper
Lyons .....	Rebecca Hamilton
Macedon .....	Christa Lubanski
Marion .....	Erika Christensen
Ontario .....	Emily Kiedrowski
Palmyra .....	D. Joslyn Pruitt
Rose .....	Bonna Milem
Savannah .....	Ann Marie Balson
Sodus .....	Michael LaComba
Walworth .....	Michael Boerman
Williamson .....	Kelly Nagel
Wolcott .....	Curtis Morelock (Absent)

County Attorney Daniel Wyner and Interim-County Administrator Keith Kubasik were also present for the board meeting.

**APPROVAL OF MINUTES:**

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

**SUMMARY OF CLAIMS:**

Committee No. 2:	A1010	Legislative Board	5,041.59
	A1040	Clerk of Legislative Board	338.24
	A1420	County Attorney	558.66
	A1430	Personnel	736.10
	A1670	Undistributed Meter Postage	16,689.00
	A1672	Court House Copier	168.00
Committee No. 3:	A1355	Assessments - Taxes	16,229.54
	A1431	Cafeteria Plan	1,722.00
	A1910	Unallocated Insurance	57.20
	A1930	Judgment & Claims	2,368.00
	A1931	Liability and Casualty Reserve	725.00
Committee No. 4:	A1165	District Attorney	6,153.56
	A1170	Public Defender	4,484.85
	A1172	Legal Defense of Indigents	39,523.21
	A1173	Wayne Pre-Trial	8,411.33
	A1185	Coroner	2,853.98
	A1190	Grand Jury	1,175.47
	A3117	Animal Abuse Investigations	220.19
	A3140	Probation	8,561.26
Committee No. 5:	A1615	Buildings & Grounds	29,688.41
	H1915	Parks Project	66.65
Committee No. 6:	A1410	County Clerk (Motor Vehicles)	2,393.91

	A1450	Elections	4,277.12
	A6510	Veterans Agency	10,483.72
Committee No. 7:	A1640	Central Garage	11,670.90
	D5010	Highway Administration	2108.54
	D5020	Engineering	210.00
	D5110	Maintenance of Roads & Bridges	30,290.54
	D5111	Road Striping & Sign Maintenance	8,090.64
	D5112	Road Construction	234,555.19
	DM5130	Road Machinery	75,622.82
Committee No. 8:	A6010	Social Services Administration	65,886.00
	A6109	Family Assistance	40.00
	A6123	Juv Delinquent Care	14,307.74
	A6129	State Training School	143,529.23
	A6212	WFD/DSS Intensive Employment Unit	704.26
	A6214	WFD/3Day DSS Workshop	304.35
	CD6293	WIA Adult	700.51
	CD6294	WIA Dislocated	507.97
	CD6295	WIA Youth	113.48
	CD6296	TANF Summer	629.99
	E0101	Land	50,368.94
	E0102	Buildings	14,100.00
	E0104	Equipment	1,906.99
	E6010	Nursing Administration	731.23
	E7200	Central Medical Supply	32,380.57
	E7210	Lab Services	2,968.22
	E7260	Activities	606.08
	E7270	Pharmacy	71,401.40
	E7280	Podiatry	330.00
	E7290	Dental	2,375.00
	E7310	Psychiatric	400.00
	E7330	Physical Therapy	6,650.63
	E7340	Occupational Therapy	12,582.27
	E7350	Speech Therapy	1,485.00
	E7380	Social Services	90.51
	E7410	Medical Staff	10,237.56
	E7420	Medical Director	1,056.00
	E8210	Dietary Service	85,610.32
	E8220	Plant Operation and Maintenance	42,817.02
	E8240	Housekeeping	7,603.00
	E8250	Laundry Service	24,144.05
	E8270	Transportation	352.45
	E8310	Fiscal Service	4,356.49
	E8350	Administrative Services	19,254.18
Committee No. 9:	A2490	Community College	650,492.84
	A7510	County Historian	66.01
Committee No. 10:	A1325	Treasurer	604.80
	A1364	Expenses of Prop Acquired for	103.95
	A1671	Printing	1,070.82
	A1680	Data Processing	7,420.86
	H1908	FMS System Update	69,982.27
Committee No. 11:	A4010	Public Health	4,949.98
	A4011	Public Health Services	26,096.52
	A4016	Early Intervention 0-1	162,410.44
	A4017	Child W/Spec. Needs 3-5 Prog.	427,734.95

	A4018	Public Health Education	1,858.14
	A4019	Wayne Community Nursing Care	70,448.52
	A4020	EMS Coordinator-Public Health	184.78
	A4046	Physically Handicapped Children	903.96
	A4320	Community Counseling Center	8,338.56
	A4321	Community Services S. Center (CDT)	13,414.31
	A4322	Contracted Mental Health Service	233,440.96
	A4323	Jail Serv. Non-Inpatient Crisis	118.80
	A4324	Substance Abuse Service	2,977.80
	A4325	Club Rehabilitative Services	1,612.68
	A4327	Case Management Services	896.24
	A4328	Intensive Case Management	1,767.15
	A4330	Agency Administration – LGU	17,153.18
	A4332	Court Evaluation	450.02
	A4334	Children & Youth Clinic	15,617.50
	A4340	C & Y ICM	2,919.07
	A4341	Local Gov't Unit	1,017.54
	A4343	Intake	1,069.20
	A4345	School Support	350.73
Committee No. 12:	A6326	Economic Development Admin	66,132.00
	A6410	Publicity	1,703.27
	A6411	Tourism Matching Funds	12,044.22
	A8020	Planning Board	18,359.51
	A8687	Economic Dev Zone Admin	235.00
Committee No. 13:	A3110	Sheriff	12,914.04
	A3111	Recreational Safety	167.60
	A3112	Civil Office	1,234.48
	A3113	Juvenile Office	6,191.94
	A3114	Road Patrol	60,960.02
	A3115	Detective Unit	4,725.61
	A3116	Court Security	1,068.65
	A3118	Road Patrol (COPS Grant)	787.70
	A3150	Jail	38,688.09
	A3170	Other Correctional Agencies	367.01
	A3315	Special Traffic Program	6,970.70
	A3410	Mutual Aid	692.20
	A3640	Emergency Management	548.43
	A3642	E911 Communications	18,386.48
	A3644	ALS Services	2,688.55
	A6610	Consumer Affairs	262.58
Committee No. 14:	A6772	Area Agency on Aging	90,185.72
	A7310	Youth Bureau	23,584.83
	A7311	Youth - Recreation	665.72
	A8730	Soil Conservation	13,339.00
During the Month Utilities			114,604.34

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

**COMMUNICATIONS RECEIVED:**

The Sheriff's Reports for the month of September 2005, totaling \$16,406.03, were received.

Notice of Public Hearing was received on proposed Local Law in regards to Amending the Zoning Regulations of the Town of Arcadia to Provide for the Regulation of Adult Entertainment Uses.

A Petition and Notice of Foreclosure for 2004 Delinquent Town and County Taxes was received and filed.

The Single Audit Report and Basic Financial Statements for 2004 for the County of Wayne, prepared by Raymond F. Wager, CPA, were received and filed.

The New York State Consolidated Plan for Federal Fiscal Years 2006 – 2010, and the Annual Action Plan for 2006, was received from Governor Pataki's office

A copy of the Western Finger Lakes Solid Waste Management Authority's August Board Meeting minutes, were received.

A letter was received from Mr. Mitchell S. Morris, Associate Counsel of the Office of the State Comptroller acknowledging receipt of the certified copy of a resolution from Wayne County concerning a sale and use tax.

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

**BIDS:**

Mobile Air Compressor System and Cylinder Charge System

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

**ANNUAL REPORTS:**

Western Finger Lakes Solid Waste Management Authority Management Letter for 2004

Western Finger Lakes Solid Waste Management Authority Financial Statements for 2004

Annual Financial Statements and Report for Wayne County Industrial Development Agencies for 2004

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

Chairman Decker welcomed Mr. Thomas Crowley and the Newark High School Government Class to the Board Meeting.

**RESOLUTION NO. 702-05: AUTHORIZATION TO AMEND BUDGET FOR DEPARTMENT OF AGING AND YOUTH**

Mr. Hammond presented the following:

WHEREAS, the Department of Aging and Youth received 100% state funding to provide Long Term Care Insurance Education and Outreach efforts, therefore, be it

RESOLVED, the Wayne County Department of Aging and Youth is requesting authorization to make the necessary budget modifications to reflect these changes and that the County Treasurer is directed to make the following amendments to the 2005 County budget:

**Account No. A6772 – Area Agency on Aging**

REVENUES:	\$23,797
APPROPRIATIONS:	
Increase .2200 (Office Equipment) (PC and Copier)	8,581
Increase .4230 (Telephone)	1,000
Increase .4410 (Conference)	300
Increase .4414 (Data Proc.)	5,000
Increase .4456 (Printing/Supplies)	2,500
Increase .4475 (Software)	1,500
Increase .4483 (Trng./Sem./Schools)	416
Increase .4485 (Travel)	<u>4,500</u>
TOTAL	\$23,797

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

**RESOLUTION NO. 703-05: AUTHORIZE INSTALLATION OF VOICEMAIL BOXES FOR DEPARTMENT OF AGING AND YOUTH**

Mr. Hammond presented the following:

WHEREAS, the Superintendent of Buildings and Grounds has provided cost information for the installation and use of voicemail by the Department of Aging and Youth; and

WHEREAS, the availability of voicemail will allow more efficient and accurate documentation and retrieval of messages; and

WHEREAS, the cost of voicemail for County Departments is \$2.50 per voicemail box per month in addition to the \$13.00 monthly phone charge; now, therefore, be it

RESOLVED, that the Buildings and Grounds Department is hereby authorized and directed to hook up nineteen (19) voicemail boxes at the Department of Aging and Youth at a cost of \$2.50 per unit.

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

**RESOLUTION NO. 704-05: AUTHORIZATION TO ACCEPT BIDS FOR MOBILE AIR COMPRESSOR SYSTEM AND CYLINDER CHARGE SYSTEM FOR WAYNE COUNTY MUTUAL AID**

Mr. Hoffman presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for 1 - Mobile Air Compressor System and Cylinder Charge System for Wayne County Mutual Aid; and

WHEREAS, the bids were publicly opened on Friday, September 30, 2005 at 2:30 p.m., and the following bids were received:

Bidder	Bid Amount
<b>Breathing Air Resources</b> 4193 Johnson Rd. Lockport, NY 14094	<b>\$58,983.00</b>
<b>Safair, Inc.</b> 12 Classic Street Sherburne, NY 13460	<b>\$53,556.00</b>
<b>Hackney Emergency Vehicles</b> PO Box 880 Washington, NC 27889	<b>\$65,244.15</b>

and

WHEREAS, the bids have been reviewed by the Public Safety Committee, the Fire Coordinator and the County Attorney; now, therefore, be it

RESOLVED, that the low bid submitted by Safair, Inc. for the Mobile Air Compressor System and Cylinder Charge System in the amount of \$53,556.00, is hereby rejected, due to said bid not being responsive to the requested bid specifications; and be it further

RESOLVED, that the bid submitted by Breathing Air Resources for the Mobile Air Compressor System and Cylinder Charge System in the amount of \$58,983.00, 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 Breathing Air Resources for the Mobile Air Compressor System and Cylinder Charge System in the amount of \$58,983.00.

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

**RESOLUTION NO. 705-05: AUTHORIZATION TO MODIFY 2005 BUDGET TO INCLUDE GRANT FUNDS NOT EXPENDED IN 2004 BUDGET**

Mr. Hoffman presented the following:

WHEREAS, as per Resolution No. 69-05, the Wayne County Treasurer was authorized and directed to transfer grant monies from the Emergency Management (A3640) 2004 budget into A3640 2005 budget for WMD Grant #0483664; and

WHEREAS, the amount that was transferred was an incorrect amount; now, therefore be it

RESOLVED, that Resolution No. 69-05 is hereby amended as follows:

"RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to transfer the following grant monies from the Emergency Management (A3640) 2004 budget into A3640 - 2005 budget for WMD Grant #048366440

Account No. A3640 – Emergency Management Office

\$3,535.06 to .2000 (Equipment and Other Capital Outlay)

\$3,535.06 to .3302 (Homeland Security-State)".

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

**RESOLUTION NO. 706-05: AUTHORIZATION TRANSFER FUNDS FROM CAPITAL RESERVE ACCOUNT INTO 2005 OPERATING BUDGET FOR EMERGENCY MANAGEMENT**

Mr. Hoffman presented the following:

WHEREAS, the County of Wayne consolidated all its projects (H Funds) into a Capital Reserve account effective December 31, 2004; and

WHEREAS, the Emergency Management Office is currently administering programs, which would have been expended funds out of said H Projects; and

WHEREAS, additional funds are needed to meet obligations in budget lines; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$1,783 from Capital Reserve Fund 878 to the following line item within Account No. A3640 – Emergency Management:

\$1,783 to .4438 (Maint/Repairs).

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

**RESOLUTION NO. 707-05: AUTHORIZATION TO EXECUTE INMATE HOUSING AGREEMENT WITH CAYUGA COUNTY SHERIFF**

Mr. Hoffman presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and Wayne County Office of Sheriff are hereby authorized and directed to execute an inmate housing agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Cayuga County for housing Wayne County inmates in Cayuga County Jail at a cost of \$90 per day through December 31, 2005.

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

**RESOLUTION NO. 708-05: AUTHORIZATION TO EXECUTE INMATE HOUSING AGREEMENT WITH SENECA COUNTY**

Mr. Hoffman presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and Wayne County Sheriff are hereby authorized and directed to execute an inmate housing agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Seneca County for housing Wayne County inmates in Seneca County Jail at a cost of \$85 per day through December 31, 2005.

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

**RESOLUTION NO. 709-05: AUTHORIZATION TO DECLARE VEHICLES SURPLUS FOR THE SHERIFF'S OFFICE**

Mr. Hoffman presented the following:

RESOLVED, that the following vehicles, no longer of use to the Wayne County Office of Sheriff, are hereby declared surplus and the vehicle has been moved to Central Garage and disposed of in accordance with the Surplus Vehicle Disposition Procedure Outlined in Resolution No. 375-91:

1995 Pontiac Grand AM	VIN: 1G2NE55D5SC811282	MILES: 123,173
1998 Ford CV	VIN: 2FALP71W7WX166730	MILES: 133,400
2000 Ford CV	VIN: 2FAFP71W0YX166247	MILES: 134,450

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

**RESOLUTION NO. 710-05: AUTHORIZATION TO ADVERTISE FOR BIDS FOR 911 AUDIO RECORDER**

Mr. Hoffman presented the following:

WHEREAS, the County of Wayne has received approval for round 2 of the New York State Expedited Deployment grant program, which will fund up to 90% of the cost for purchase and installation of an audio recorder for use at the primary 911 dispatch center, with the current recorder to be moved to the back-up dispatch center at the State Emergency Management Office; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors shall be authorized and directed to advertise for bids for an audio recorder, in accordance with specifications prepared by the 911 Coordinator, and approved by the County Attorney as to form and content; 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 regular meeting of the Board of Supervisors following the bid opening.

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

**RESOLUTION NO. 711-05: AUTHORIZATION TO ADVERTISE FOR BIDS FOR 911 BACK-UP SITE DISPATCH FURNITURE**

Mr. Hoffman presented the following:

WHEREAS, the County of Wayne has received approval for round 2 of the New York State Expedited Deployment grant program, which will fund up to 90% of the cost for purchase and installation of dispatch center console furniture for the back-up site at the State Emergency Management Office; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors shall be authorized and directed to advertise for bids for dispatch center console furniture for installation at the SEMO facility, in accordance with specifications prepared by the 911 Coordinator, and approved by the County Attorney as to form and content; 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 regular meeting of the Board of Supervisors following the bid opening.

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

**RESOLUTION NO. 712-05: AUTHORIZATION TO PURCHASE SOFTWARE AND AMEND E-911 COMMUNICATIONS BUDGET**

Mr. Hoffman presented the following:

WHEREAS, currently, all users of the Wayne County 911 mobile computing and CAD software must be logged onto a mobile computer to receive messages from 911 or other mobile users, and

WHEREAS, PST Technologies, the vendor of the message switch and mobile computing software utilized by Wayne County 911, and all police agencies in the county, offers "store and forward" software that would allow for the storage of CAD mobile computer messages until the officer logs onto a computer in the mobile system and retrieves saved messages, and

WHEREAS, such software would increase efficiency for dispatchers and officers; now, therefore, be it

RESOLVED, that the E-911 Coordinator shall be authorized to purchase Store and Forward software for the mobile computer system from PST Technologies, at a cost not to exceed \$10,000; and be it further

RESOLVED, that the 2005 E-911 Communications budget shall be amended as follows:  
Account No. A 3642 - E-911 Communications

A3642.4475 (Software) shall be increased by \$10,000

A3642.2091 (E-911 Surcharges) shall be increased by \$10,000

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

**RESOLUTION NO. 713-05: AUTHORIZATION TO ADVERTISE FOR BIDS FOR 911 BACK-UP SITE TELEPHONE EQUIPMENT**

Mr. Hoffman presented the following:

WHEREAS, the County of Wayne has received approval for round 2 of the New York State Expedited Deployment grant program, which will fund up to 90% of the cost for purchase and installation of PSAP telephone equipment for the back-up site at the State Emergency Management Office; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors shall be authorized and directed to advertise for bids for Public Safety Answering Point telephone equipment for installation at the SEMO facility, in accordance with specifications prepared by the 911 Coordinator, and approved by the County Attorney as to form and content, 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 regular meeting of the Board of Supervisors following the bid opening.

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

**RESOLUTION NO. 714-05: AUTHORIZATION TO PURCHASE MOBILE COMPUTER SYSTEM EQUIPMENT FOR E-911 COMMUNICATIONS**

Mr. Hoffman presented the following:

WHEREAS, The New York State Police, Williamson station, will be assuming responsibility for stationing personnel at the Ginna Nuclear Power Plant, and

WHEREAS, two additional patrol cars, and additional personnel, will be assigned to the Williamson station, with such patrol cars to be used either for Ginna or for regular patrol within the county, and

WHEREAS, the State will be purchasing mobile computers for the two additional vehicles, and will assume installation costs for the computers, and related mobile and GPS equipment as specified in this resolution; now, therefore, be it

RESOLVED, that the E-911 Coordinator shall be authorized to purchase the following equipment from Finger Lakes Communications, or another source, for installation into the two additional State Police patrol vehicles, at a total County cost not to exceed \$7,141:

Motorola VRM 850 radio / modem

Trimble GPS Placer 450

Necessary cables and antennas  
Mr. Colvin moved the adoption of the resolution. Seconded by Mr. Lyon. Upon roll call, adopted.

**RESOLUTION NO. 715-05: AUTHORIZE INSTALLATION OF VOICEMAIL BOXES FOR TOURISM OFFICE**

Mr. Spickerman presented the following:

WHEREAS, the Superintendent of Buildings and Grounds has provided cost information for the installation and use of voicemail by the Tourism's Office; and

WHEREAS, the availability of voicemail will allow more efficient and accurate documentation and retrieval of messages; and

WHEREAS, the cost of voicemail for the Tourism Office is \$2.50 per voicemail box per month in addition to the \$13.00 monthly phone charge; now, therefore, be it

RESOLVED, that the Buildings and Grounds Department is hereby authorized and directed to hook up three voicemail boxes at the Tourism Office at a cost of \$2.50 per unit.

Mrs. Chittenden moved the adoption of the resolution. Seconded by Mr. Frederick. Upon roll call, adopted.

**RESOLUTION NO. 716-05: APPOINTMENT TO WAYNE COUNTY WATER AND SEWER AUTHORITY**

Mr. Spickerman presented the following:

WHEREAS, there is a vacancy on the Wayne County Water and Sewer Authority and the Chairman of the Board of Supervisors has recommended Gary Grant be appointed to the Authority to fill that vacancy; now, therefore be it

RESOLVED, that Gary Grant, 3135 Heidenreich Road, Lyons, NY 14489 is appointed to the Wayne County Water and Sewer Authority for a term of office commencing immediately and expiring December 31, 2007.

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

**RESOLUTION NO. 717-05: SETTING DATE OF PUBLIC HEARING TO AMEND LOCAL LAW NO. 3-2002 AS AMENDED BY LOCAL LAW NO. 07-2002, LOCAL LAW NO. 2-2003, LOCAL LAW NO. 04-2003, LOCAL LAW NO. 1-2004, LOCAL LAW NO. 2-2004, LOCAL LAW NO. 3-2004 AND LOCAL LAW NO. 5 IN RELATION TO THE BOUNDARIES OF SAID EMPIRE ZONE**

Mr. Spickerman presented the following:

RESOLVED, pursuant to Section 20 of the municipal Home Rule Law, the Board of Supervisors shall hold a public hearing on Tuesday, November 15, 2005 at 10 a.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

**COUNTY OF WAYNE – STATE OF NEW YORK**

A local law amending Local Law No. 3-2002 as amended by Local Law No. 7-2002, Local Law no. 2-2003, Local Law No. 4-2003, Local Law No. 1-2004, Local Law No. 2-2004, Local Law No. 3-2004 and Local Law No. 5-2004 entitled "A local law authorizing the Wayne County Industrial Development Agency on behalf of the County of Wayne, to make application for designation of certain areas within the County of Wayne as an Empire Zone"

**SECTION 1.**

Section 2. of Local Law No. 3-2002 as amended by Local Law No. 7-2002, Local Law No. 2-2003, Local Law No. 4-2003 Local Law No. 1-2004, Local Law No. 2-2004, Local Law No. 3-2004 and Local Law No. 5-2004 entitled "A local law authorizing the Wayne County Industrial Development Agency on behalf of the County of Wayne, to make application for designation of certain areas within the County of Wayne as an Empire Zone" is hereby amended to read as follows:

"Section 2.

The boundaries of said certain areas to be included in said Empire Zone shall be as set forth in Amended Schedule A and associated maps/legal descriptions which are attached hereto and made a part hereof."

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.

SECTION 3.

The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with this Local Law; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to give at least five days notice of such hearing by posting such notice upon the bulletin board at the County Court House, Lyons, New York, and by publishing such notice at least once (1) in the official newspapers of the County of Wayne.

Mr. Frederick moved the adoption of the resolution. Seconded by Mrs. Chittenden. Upon roll call, adopted.

**RESOLUTION NO. 718-05: AUTHORIZATION TO ADVERTISE FOR BIDS FOR PALMYRA LIVESTOCK BARN PROJECT**

Mr. Spickerman presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is authorized and directed to advertise for bids for the Palmyra Livestock Barn Project in accordance with specifications prepared by Bergmann Associates, subject to review and approval by the County Planning Director and the County Attorney; and be it further

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

Mr. Frederick moved the adoption of the resolution. Seconded by Mrs. Chittenden. Upon roll call, adopted.

**RESOLUTION NO. 719-05: AUTHORIZATION TO ADVERTISE FOR BIDS FOR SODUS POINT PARK IMPROVEMENT PROJECT**

Mr. Spickerman presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is authorized and directed to advertise for bids for the Sodus Point Park Improvement Project in accordance with specifications prepared by Bergmann Associates, subject to review and approval by the County Planning Director and the County Attorney; and be it further

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

Mr. Frederick moved the adoption of the resolution. Seconded by Mrs. Chittenden. Upon roll call, adopted.

**RESOLUTION NO. 720-05: AUTHORIZATION TO ADMINISTER HOUSING REHABILITATION COMMUNITY DEVELOPMENT BLOCK GRANT ON BEHALF OF THE TOWN OF HURON**

Mr. Spickerman presented the following:

WHEREAS, the Town of Huron recently received notice that it has been awarded \$388,650 in Community Development Block Grant (CDBG) funds from the NYS Governor's Office for Small Cities to undertake a housing rehabilitation program; and

WHEREAS, the Town of Huron has authorized the Wayne County Planning Department to administer this program on its behalf; and

WHEREAS, the County of Wayne and the Town of Huron are authorized to enter into an Intergovernmental Agreement under Title 24 of the Code of Federal Regulations, Part 85, Subpart C, Section 36 (b) (5), which stipulates that grantees are encouraged to enter into State and local intergovernmental agreements for procurement or use of common goods and services in order to foster greater economy and efficiency; and

WHEREAS, \$64,500 in funds are included in said grant for administrative fees, and would be eligible for payment to the County of Wayne for administrative services delivered by the Planning Department; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute an Intergovernmental Agreement for administration of the Town of Huron's 2005 CDBG program, subject to approval as to form and content by the County Attorney; and be it further

RESOLVED, that the County of Wayne is authorized to collect fees from the Town of Huron not to exceed \$64,500 in aggregate in connection with the Planning Department's role as program administrator.

Mr. Molino moved the adoption of the resolution. Seconded by Mr. Hoffman. Upon roll call, adopted.

**RESOLUTION NO. 721-05: AUTHORIZE GEOGRAPHIC INFORMATION SYSTEM REQUEST FOR PROPOSALS AND APPLICATION FOR FUNDING FROM THE NYS ARCHIVES LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND**

Mr. Spickerman presented the following:

WHEREAS, Wayne County and its Towns and Villages are collaborating on the development of a consistent and compatible Geographic Information System (GIS) to chronicle and exchange land use information in an overall effort increase access to electronic records from across the County; and

WHEREAS, the availability of this information in a compatible electronic format will allow communities to seamlessly exchange information and will simplify planning and economic development efforts by making available reliable and consistent information for a variety of planning and economic development purposes; and

WHEREAS, the first step in developing such a program is a needs assessment; and

WHEREAS, the NYS Local Government Records Management Improvement Fund program requires potential applicants to issue a Request for Proposals prior to the submission of the application to determine costs associated with the GIS needs assessment; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Wayne County Planning Department to release a Request for Proposals to determine the amount a GIS Needs Assessment will cost; and be it further

RESOLVED, that the Board of Supervisors authorizes the appointed Records Management Officer (RMO) and chief administrative officer to submit an application for Local Government Records Management Improvement Funds to conduct a GIS needs assessment on behalf of Wayne County in an amount not to exceed \$125,000; and be it further

RESOLVED, that the Chairman is authorized and directed to act in connection with this application and execute any necessary documents required for the submission of the application, subject to approval as to form and content by the County Attorney.

Mrs. Chittenden moved the adoption of the resolution. Seconded by Mr. Frederick. Upon roll call, adopted.

**RESOLUTION NO. 722-05: AUTHORIZATION TO RELEASE NOTE AND MORTGAGE**

Mr. Spickerman presented the following:

WHEREAS, the Bishop Sheen Ecumenical Housing Foundation (Bishop Sheen Housing) administers a housing rehabilitation program, which is funded through the NYS Division of Housing and Community Renewal HOME Program, on behalf of Wayne County; and

WHEREAS, pursuant to the provisions of the HOME program, Debra Horn was approved

and received a grant totaling \$8,900; and

WHEREAS, the recipient of a housing rehabilitation grant under the HOME Program agrees to remain in their house for a period of five (5) years subsequent to the receipt of the grant and a lien in the grant amount is placed upon the house which expires after five years; and

WHEREAS, if the grant recipient moves out of the house or sells the property, the County is due a prorated amount of the grant before the lien may be released; and

WHEREAS, the house has been sold and Ms. Horn will send a check to the County in the amount of \$1,780.00, which represents the prorated amount of the grant to be paid back to release the lien on the property; now, therefore, be it

RESOLVED, that the Wayne County Attorney is authorized and directed to release the County's lien upon this property for the HOME grant once payment in the amount of \$1,780.00 is received by the County.

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

**RESOLUTION NO. 723-05: AUTHORIZATION FOR THE WAYNE COUNTY HISTORICAL SOCIETY, INC. TO INVENTORY AND CATALOG ARTIFACTS CONTAINED IN THE HOTCHKISS BUILDING**

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Historical Society, Inc. proposes to submit a grant application to the Save Our History Grant Program in an amount not to exceed \$10,000; and

WHEREAS, this grant, if awarded, will finance the inventory, planning and cataloging of artifacts contained in the Hotchkiss Building; and

WHEREAS, the County acknowledges that the Wayne County Historical Society, Inc. possesses the skills and expertise to conduct a complete inventory and cataloging of the Hotchkiss Building's contents and to plan potential exhibit space for said artifacts; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Wayne County Historical Society, Inc., in cooperation with the County Planning Department, to inventory and catalog artifacts contained in the Hotchkiss Building and to plan potential exhibits for said artifacts; and be it further,

RESOLVED, that the Board of Supervisors endorses the Wayne County Historical Society's grant application to the Save Our History Program as it will enhance the knowledge and understanding of County history, and improve the quality of life of all County residents.

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

**RESOLUTION NO. 724-05: AUTHORIZE JOINT MUNICIPAL IMPROVEMENT PROJECT FOR THE VILLAGE OF LYONS**

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 Lyons has requested the County to provide funding from the Joint Municipal Improvement Project for the repair of the West Water Street bridge over Ganargua Creek in the Village of Lyons; and

WHEREAS, the project cost will not exceed \$18,369.00 with the Village of Lyons contributing \$12,246; 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 Lyons in the amount of one-third the total project cost or \$6123.00 whichever is less.

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

The 4-H Supervisors for a Day were excused from the meeting.

**RESOLUTION NO. 725-05: AUTHORIZE RFP FOR WAYNE COUNTY RECYCLING PROGRAM**

Mr. Spickerman presented the following:

RESOLVED, that the Interim County Administrator is authorized and directed to prepare and distribute a Request for Proposals for the Wayne County Recycling Program, in accordance with relevant state and local procurement laws that apply to the bidding of recycling programs, subject to approval as to form and content by the County Attorney; and be it further

RESOLVED, that the Chairman of the Board of Supervisors shall appoint a committee comprised of representatives from the Buildings and Grounds Committee, the Planning Committee, the Finance Committee and any additional persons whom the Chairman feels can assist with the selection process; and be it further

RESOLVED, that this committee shall review proposals and present a recommendation to the Board of Supervisors for approval.

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

Prior to calling for the vote on said resolution, Supervisor Spickerman requested that several citizens of Wayne County be allowed to address the board regarding their opinion on the County's current recycling program and their concerns with the County obtaining Requests for Proposals, as recommended by the Wayne County Fiscal Analysis Team.

The following citizens addressed the Board:

Steven Montemorano	Town of Galen
Michele Fabrizio	Town of Lyons
Chris Montemorano	Town of Galen
Nan Hanna-Paquin	Town of Sodus
Nancy Casper	Town of Huron
Susan Epstein	Town of Sodus

Mr. James Hurley, on behalf of the Wayne County Fiscal Advisory Team, addressed the Board with his statement.

Upon roll call, all Supervisors voted Aye, except Supervisors DeSanto, Jenkins, Fabino, Molino, Pascarella and Hoffman who voted Nay. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 726-05: AUTHORIZATION TO AMEND TRAIL LICENSE WITH ROCHESTER GAS & ELECTRIC CORPORATION**

Mr. Spickerman presented the following:

WHEREAS, Wayne County executed a Trail License with Rochester Gas and Electric Corporation (RG&E) in September 2001 that allowed the County to develop and maintain a multi-use trail along RG&E property No. 1108 between the Villages of Wolcott and Red Creek; and

WHEREAS, the current expiration date of this License is September 13, 2011; and

WHEREAS, this expiration conflicts with the provisions of a \$70,000 Recreational Trails Grant for trail development that the County received and accepted through the NYS Office of Parks, Recreation and Historic Preservation (OPRHP); and

WHEREAS, OPRHP requires that trails constructed with these funds remain publicly accessible for a period of 15 years from the date of project closeout; and

WHEREAS, the County Planning Department estimates that all project activities will be completed by the end of FY 2006 and final reimbursement remunerated in early 2007; and  
WHEREAS, the County Attorney contacted RG&E and received a favorable reply to its request to extend the term of the License; now, therefore, be it

RESOLVED, that the County Attorney's Office is authorized and directed to amend said License to expire on December 31, 2022 to comply with OPRHP public accessibility requirements.

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

**RESOLUTION NO. 727-05: AUTHORIZE AGRICULTURE ECONOMIC DEVELOPMENT GRANT TO USDA**

Mr. Spickerman presented the following:

WHEREAS, many Wayne County communities have updated their comprehensive plans and have placed greater emphasis on the economic and land use roles of agriculture; and

WHEREAS, the Wayne County Agriculture and Farmland Protection plan, adopted in July of 1997, identifies the training of Town Boards, Planning Boards and Zoning Boards as an important goal; and

WHEREAS, the Northeast Sustainable Agriculture Research & Education (SARE) 2006 Sustainable Community Grant Program would subsidize the costs associated with the implementation of a local Planning and Zoning Board "Agricultural Zoning" training program; now, therefore, be it

RESOLVED, that the Wayne County Planning Department is authorized to apply to the United States Department of Agriculture for a SARE Sustainable Community Grant in an amount not to exceed \$10,000; and be it further

RESOLVED, that the Chairman of the Board is authorized and directed to execute all documents in connection with this grant, subject to approval as to form and content by the County Attorney.

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

**RESOLUTION NO. 728-05: AUTHORIZATION TO EXPAND VOICE MAIL CAPACITY AT WAYNE BEHAVIORAL HEALTH NETWORK**

Mr. Guelli presented the following:

WHEREAS, WBHN created 37 voice mail boxes as per Resolution No. 525-04; and

WHEREAS, this voice mail capacity has expedited client services and minimized Reception Staff involvement; and

WHEREAS, this same capacity will augment our Case Management Staff who are frequently in the community providing services and not available at their desks; now, therefore, be it

RESOLVED, that eight (8) additional voice mail accounts be added for WBHN Case Management Staff; and be it further

RESOLVED, that the Buildings and Grounds Department is hereby authorized and directed to hook up eight additional voicemail boxes at the WBHN Department at a cost of \$2.50 per unit.

Mr. Molino moved the adoption of the resolution. Seconded by Mr. Frederick. Upon roll call, adopted.

**RESOLUTION NO. 729-05: AUTHORIZATION TO HOOK UP VOICE MAIL BOX FOR PUBLIC HEALTH DEPARTMENT**

Mr. Guelli presented the following:

WHEREAS, Wayne County Public Health is in need of a more efficient means of employee resources; and

WHEREAS, clinical staff members are scheduling home visits, calling patients, families, doctors, hospitals, labs, community services on behalf of clients; and

WHEREAS, a major portion of their days are spent in the field; and

WHEREAS, support staff has been reduced due to attrition; now, therefore, be it

RESOLVED, that the Buildings and Grounds Department is hereby authorized and directed to hook up twenty available voice mail boxes at the Health Services Building - Health Department at a cost of \$2.50 per unit.

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

**RESOLUTION NO. 730-05: AUTHORIZATION TO AMEND A PARTICIPATING PROVIDER AGREEMENT WITH EXCELLUS HEALTH PLAN, INC. FOR FLU AND PNEUMOVAX**

Mr. Guelli presented the following:

WHEREAS, Wayne County Public Health Services currently has an agreement with Excellus Health Plan, Inc. to be a provider of home care service; and

WHEREAS, Wayne County Public Health Services will be providing flu and pneumovax immunizations at the following reimbursement rates; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to execute an agreement with Excellus Health Plan, Inc. on behalf of Wayne County Public Health, subject to the County Attorney's approval as to form and content effective October 1, 2005 at a fee schedule listed as follows:

Influenza administration and Vaccine 90658- \$25.67

Pneumococcal Administration and Vaccine 90732 - \$39.16.

Mr. Molino moved the adoption of the resolution. Seconded by Mr. Frederick. Upon roll call, adopted.

**RESOLUTION NO. 731-05: AUTHORIZATION TO APPOINT NEW MEMBER TO HEALTH SERVICES ADVISORY BOARD**

Mr. Guelli presented the following:

WHEREAS, Ms. Eva Berman recently resigned from the Health Services Advisory Board, due to her retirement from Wayne County Headstart; and

WHEREAS, Ms. June Smith, also from Headstart, is willing and able to fill this vacancy; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to appoint Ms. June Smith to the Health Services Advisory Board to complete the term of Ms. Berman through 12/31/07.

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

**RESOLUTION NO. 732-05: AUTHORIZATION TO INCREASE COUNTY RATES FOR FLU AND PNEUMOVAX VACCINE AND ADMINISTRATION**

Mr. Guelli presented the following:

WHEREAS, Wayne County Public Health provides Flu and Pneumovax vaccine and vaccinations; and

WHEREAS the Medicare reimbursement rates have increased for such services; and

WHEREAS the Public Health Department wishes to increase rates charged to cover reimbursement rates; now, therefore, be it

RESOLVED, that the Director of Wayne County Public Health is hereby directed to increase the Flu Vaccine charge to \$12.00, the pneumovax vaccine charge to \$26.00 and administration fee charges to \$18.00 each; giving a total charge of \$30 for flu vaccinations and \$44 for pneumovax vaccinations effective October 15<sup>th</sup>, 2005.

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

**RESOLUTION NO. 733-05: AUTHORIZATION TO ADMINISTER FLU AND PNEUMOVAX TO COUNTY EMPLOYEES AT NO COST TO EMPLOYEE**

Mr. Guelli presented the following:

WHEREAS, Wayne County Public Health has agreed to administer Flu and Pneumovax vaccine to any county employee wishing the vaccine at no cost to the individual (although donations will be accepted); now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors approves this plan for the period October 15, 2005 – April 30, 2006.

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

**RESOLUTION NO. 734-05: AUTHORIZATION TO PURCHASE NEXTEL PHONE AND ACCESSORIES FOR BIOTERRORISM PROGRAM**

Mr. Guelli presented the following:

WHEREAS, the New York State Department of Health expects that local health departments be equipped with communication equipment to be used for bioterrorism planning activities and to be used for direct communication to hospitals, police, fire, NYSDOH, etc, in the event of a bioterrorism event in or around Wayne County, and

WHEREAS, the NYSDOH has provided funding to support purchases of this kind, now, therefore, be it

RESOLVED, that the Director is hereby authorized to purchase one Motorola I530 cell phone with charger and batteries at a cost not to exceed \$49.00.

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

**RESOLUTION NO. 735-05: AUTHORIZATION TO SUBMIT MIGRANT HEALTH PROGRAM BUDGET AND WORKPLAN AND EXECUTE THE CONTRACT FOR 1/1/06 – 12/31/06**

Mr. Guelli presented the following:

WHEREAS, Wayne County Public Health wishes to renew its contract with NYS DOH Migrant Health Program for the grant year January 1, 2006 to December 31, 2006 in the amount of \$75,000; now, therefore, be it

RESOLVED, that the Wayne County Director of Public Health is hereby authorized to submit budget and work plan to the NYS DOH; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute the contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 736-05: AUTHORIZATION TO REGISTER FOR HOME CARE ASSOCIATION (HCA) TELECONFERENCE**

Mr. Guelli presented the following:

WHEREAS, Medicare specific information is available through an HCA teleconference relating to new initiatives developed to encourage improved quality of care and the impact on future reimbursement structure; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to register for the HCA Teleconference scheduled for October 20, 2005.

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

**RESOLUTION NO. 737-05: AUTHORIZATION TO RENEW MAINTENANCE AND SUPPORT AGREEMENT WITH ANASAZI SOFTWARE, INC.**

Mr. Guelli presented the following:

WHEREAS, the maintenance and support agreement with Anasazi Software, is due for

renewal; and

WHEREAS, provision of maintenance and support services by Anasazi is essential to the functioning of the software system in use by WBHN; and

WHEREAS, the addition of Upgrade Insurance to the contract is recommended to be continued by the Data Processing Dept; 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 Anasazi Software, Inc. for the period October 2005-September 2006, for maintenance, support and upgrade insurance, at a monthly cost not to exceed \$1,416.

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

**RESOLUTION NO. 738-05: AUTHORIZATION TO HIRE ESSENTIAL STAFF – COMMUNITY MENTAL HEALTH AID**

Mr. Guelli presented the following:

WHEREAS, the sudden and immediate resignation of a CMHA staff member has created a void and delay in Wayne Behavioral Health Networks ability to provide continuity of care to patients who currently receive medical treatment and essential case management services from WBHN; and

WHEREAS, per regulations case managers have a maximum number of patients which can be specifically assigned to them that they can carry on their caseload, WBHN is unable to transfer the effected clients to other case managers due to lack of available openings and staff resources; and

WHEREAS, these services are critical and essential to the well being of those clients who have been engaged in treatment and are now void of a case manager as a result of the resignation noted; now, therefore, be it

RESOLVED that the Director of WBHN is authorized to immediately announce the availability of the position opening and to select and hire a Community Mental Health Aid in order to provide essential services, medical treatment and continuity of care to the patients who are in need as described.

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

**RESOLUTION NO. 739-05: 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:

County Roads

\$20,000 from Account No. D5110.1315 (Maintenance of Road & Bridges – Hwy Const Foreman)

\$20,000 to Account No. D5110.1213 (Maintenance of Road & Bridges – MEO #2 Seasonal)

Account No. E6020 - Skilled Nursing Facility:

\$20,000 from .4946 (RN Nursing Fees)

Account No. E7200 - Central Medical Supply:

\$10,000 to .4822 (Medical & Nursing Supplies)

\$10,000 from .4942 (Skin Care Program)

Account No. E7210 - Lab Services:

\$ 6,000 to .4930 (Medical Purchased Services)

Account No. E7240 - Radiology Services:  
\$ 5,000 to .4930 (Medical Purchased Services)

Account No. E7260 - Activities:  
\$ 50 from .4880 (In-service)  
\$ 50 to .4886 (Recreational Trip – Residents)

Account No. E7270 - Pharmacy:  
\$ 2,000 to .4825 (Syringes)

Account No. E8250 - Laundry:  
\$ 5,500 to .4865 (Laundry Supplies)

Account No. E8270 - Transportation:  
\$ 500 to .4893 (Vehicle Maintenance)

Account No. E8310 - Fiscal Services:  
\$ 200 to .4857 (Office Supplies)  
\$ 200 from .4880 (In-service)

Account No. E8350 - Administrative Services:  
\$ 1,000 from .4856 (Printing)  
\$ 1,000 to .4857 (Office Supplies)  
\$ 1,000 to .4876 (Xerox Supplies)

Account No. E8460 - Employee Benefits:  
\$10,000 from .8300 (Workmen's Comp)  
\$10,000 to .8500 (Unemployment)

Sheriff's Department

\$6,000 from Account No. A3115.4600 (Misc.) to Account No. A3114.4114 (Car Expense)  
\$6,789.88 from Account No. A3114.2300 (Motor Vehicle) to Account No. A3114.4114 (Car Expense)

Public Health Department

\$ 200 from Account No. A4017.4511 (Other Purch Serv.) to Account No. A4017.4166 (Postage)  
\$2,140 from Account No. A4011.4679 (Nurse Practitioner) to Account No. A4011.4599 (Adult Imm. Clinic)  
\$1,000 from Account No. A4019.4450 (Occupational Ther.) to Account No. A4019.4118 (Reim. Supplies)  
\$3,500 from Account No. A4019.4619 (Nursing Travel) to Account No. A4019.4616 (Car Expense Nursing)  
\$2,098 from Account No. A4011.2300 (Motor Vehicles) Account No. A4011.4616 (Car Expense Nursing)

Increase expense line A4011.4596 (Chronic Dis <40) to \$34,833  
Increase revenue line A4011.3409 (WHP) to \$88,770  
Increase expense line A4011.4586 (Chron Dis) to \$33,079  
Increase revenue line A4011.4634 (HRI grant) to \$27,660

Account No. A1671-PRINTING DEPARTMENT:

\$5,000 to .4100 (Supplies & Materials)  
\$5,000 to .1271 (Central Printing)



RESOLVED, that the following equipment no longer of use to the County of Wayne departments listed below, is hereby declared surplus and the Director of Data Processing and Superintendent of Buildings and Grounds are hereby authorized to dispose of said equipment in accordance with County policy:

Emergency Management

Victoreen 450 Radiation Survey Meter, serial # 1031, county # 6636  
Victoreen 450 Radiation Survey Meter, serial # 1029, county # 6638  
Victoreen 450 Radiation Survey Meter, serial # 1025, county # 6635  
Victoreen 450 Radiation Survey Meter, serial # 1061, county # 6637  
Xetex 415A Digital Exposure Meter, serial # 014569, county # 4735  
Xetex 415A Digital Exposure Meter, serial # 014641, county # 4736

Aging and Youth

6 – PCs and accessories  
5 – PC monitors  
6 – Personal emergency response units  
1 – IBM 4019 LaserPrinter

Department of Social Services

32 - Computers  
26 - Monitors  
2 - Inkjet Printers  
1 - UPS  
22 - Keyboards

Stop DWI Department

Misc. Computer Equipment  
1 - KDS Visual Sensations V-S70881075071  
1 - PC Warehouse Harddrive PO# P9802847 CO# 000399  
1 - Keytronic Keyboard M/N: E03601QUS201-C SN# Q983204584  
1- Battery Backup M/N: BK650M SN# FB9840037663  
1 - Hewitt Packard Laserjet 4000n SN# USEX028842  
1 - Juster Active DC-691P Speaker System SN# YZNJ891701207

Located at Data Processing Department:

47 Computers  
26 Monitors  
5 printers  
5 Laptops  
2 scanners

Located at Health Building DP Storage room:

9 computers  
21 Monitors  
6 Printers  
1 scanner  
1 copier  
1 microwave

Mrs. Chittenden moved the adoption of the resolution. Seconded by Mr. Frederick. Upon roll call, adopted.

**RESOLUTION NO. 742-05: AUTHORIZATION TO INCREASE TAX FEE CHARGED-BACK TO TAXPAYERS**

Mr. Colvin presented the following:

WHEREAS, the Wayne County Treasurer has received and the Board of Supervisors have approved a proposal from Consumer Marketing Services for title searches, with an increase in costs; now, therefore, be it

RESOLVED, an increase of \$5 is authorized in the tax fee that is charged-back to taxpayers, bringing the total charge to:

\$115 per parcel effective January 1, 2006

\$120 per parcel effective January 1, 2007

\$120 per parcel effective January 1, 2008.

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

**RESOLUTION NO. 743-05: AUTHORIZING A CONTRACT WITH CONSUMER MARKETING SERVICES, INC. FOR REAL ESTATE ABSTRACTING SERVICES**

Mr. Colvin 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 Consumer Marketing Services, Inc. for Real Estate Abstracting Services for the following periods:

1/1/06 – 12/31/06 – at a cost of \$65 per property

1/1/07 – 12/31/07 – at a cost of \$70 per property

1/1/08 – 12/31/08 – at a cost of \$70 per property.

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

**RESOLUTION NO. 744-05: AUTHORIZE TO PARTIALLY REFUND TOWN AND COUNTY TAXES, VILLAGE TAXES AND SCHOOL TAXES OWING AGAINST REAL PROPERTY AS PER COURT ORDER**

Mr. Colvin presented the following:

WHEREAS, the Wayne County Treasurer received a Court Order to partially refund 2003-04 and 2004-05 taxes as follows:

**T.M. 544801 78118-10-495595** (46118-10-463591) in the amount of

\$4,195.98 for the 2003 School

\$3,417.64 for the 2004 Town and County

\$2,943.80 for the 2004 Village

\$3,877.92 for the 2004 School

\$3,297.87 for the 2005 Town and County.

**T.M. 544801 78118-14-486486** (46118-10-449515) in the amount of

\$24,980.20 for the 2003 School

\$20,346.43 for the 2004 Town and County

\$17,525.56 for the 2004 Village

\$11,378.14 for the 2004 School

\$9,676.18 for the 2005 Town and County Taxes

now, therefore, be it

RESOLVED, that said amounts are hereby charged back to the Town, County, School and Village, including the interest, respectively.

Mrs. Chittenden moved the adoption of the resolution. Seconded by Mr. Frederick. Upon roll call, adopted.

**RESOLUTION NO. 745-05: AUTHORIZATION TO ACCEPT NYSERDA FUNDS IN THE AMOUNT OF \$265,001.00**

Mr. Colvin presented the following:

WHEREAS, the County of Wayne will receive NYSEERDA Funds for the construction of the Nursing Home for installing energy efficient measurers in the design and construction; and

WHEREAS, the County of Wayne has been notified that the final amount of this incentive is \$265,001.00; now, therefore, be it

RESOLVED, that the County of Wayne accept the approved incentive amount of \$265,001.00; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the Incentive Payment Request Form and that David Sloane, Buildings and Grounds Superintendent to submit said form for reimbursement.

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

**RESOLUTION NO. 746-05: AUTHORIZATION TO TRANSFER SURPLUS OFFICE EQUIPMENT FROM OLD NURSING HOME TO DEPARTMENT OF SOCIAL SERVICES**

Mr. Frederick presented the following:

WHEREAS, office equipment has been declared surplus from the Old Nursing Home facility; now, therefore, be it

RESOLVED, that the following equipment from the old Nursing Home is hereby transferred to the Department of Social Services:

- 4 - Black 3-shelf units
- 6 - Vertical panel dividers: 4 blue, 2 tan
- 2 - Wooden office desks
- 2 - 5-drawer locking filing cabinets
- 7 - 4-drawer locking filing cabinets
- 2 - Black lateral 3-drawer filing cabinets
- 1 - Black 2-shelf unit
- 1 - Blue secretarial chair with arms
- 7 - Blue secretarial chairs without arms
- 12 - Burgundy secretarial chairs without arms
- 1 - Gray secretarial chair without arms
- 2 - Pink wooden armchairs
- 4 - Gray steel assembled shelving units: (2- 5-shelf units; 1- 6-shelf unit; 1- 7-shelf unit)
- 10 - Printer stands
- 3 - Televisions

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

**RESOLUTION NO. 747-05: AUTHORIZE CONTRACT AMENDMENT WITH DELAWARE SUPPORT AND SERVICES, INC.**

Mr. Frederick presented the following:

WHEREAS, the Wayne County Board of Supervisors is committed to making its Nursing Home run in the most efficient and effective manner possible; and

WHEREAS, the Wayne County Board of Supervisors is committed to a fiscally viable and financially sustainable relationship with the Wayne County Nursing Home; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an amendment to the contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, to continue services with Delaware Support and Services, Inc. for the provision of 2 days/month of consulting services to the Commissioner of Social Services at \$1,600/month for the contract period of 10/1/05-3/31/06 at a total not to exceed \$9,600.

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

**RESOLUTION NO. 748-05: AUTHORIZE AGREEMENT BETWEEN WAYNE COUNTY NURSING AND ACS SERVICE BUREAU, INC.**

Mr. Frederick presented the following:

WHEREAS, Wayne County Nursing Home desires to enter into an agreement with ACS Service Bureau, Inc. for blood glucose billing services; and

WHEREAS, ACS Service Bureau, Inc. agrees to provide billing for *Accucheck* and *Pulse Oximetry* procedures for residents covered by Medicare Part B; and

WHEREAS, the Wayne County Nursing Home shall pay ACS Service Bureau twenty-five percent (25%) of the net covered amount received by the nursing home on all billings prepared by ACS Service Bureau; and

WHEREAS, this agreement shall become effective October 18, 2005; 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 ACS Service Bureau at a cost of twenty-five percent (25%) of the net covered amount received by the nursing home on all billings prepared by ACS Service Bureau, Inc. for a contract period October 18, 2005 to October 17, 2006.

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

**RESOLUTION NO. 749-05: AUTHORIZE THE WAYNE COUNTY NURSING HOME TO PARTICIPATE IN THE NEW YORK STATE SENIOR PRESCRIPTION PLAN**

Mr. Frederick presented the following:

WHEREAS, Wayne County Nursing Home desires to become a participating provider with New York State's Elderly Pharmaceutical Insurance Coverage (EPIC) Program to provide prescription coverage for the State's low and moderate income elderly; and

REAS, the to become effective; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the Provider Agreement, subject to the County Attorney's approval as to form and content provide elderly pharmaceutical insurance coverage for the State's low and moderate income elderly, effective 11/1/05.

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

**RESOLUTION NO. 750-05: AUTHORIZATION TO EXECUTE AFFILIATION AGREEMENT WITH KEUKA COLLEGE**

Mr. Frederick presented the following:

WHEREAS, Keuka College has established an educational program for Occupational Therapy; and

WHEREAS, Keuka College desires to establish a contractual alliance for the purpose of providing adequate clinical field work experience for said educational program with the Wayne County Nursing Home; 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 Keuka College effective January 2006.

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

**RESOLUTION NO. 751-05: AUTHORIZING DAILY RATE INCREASE AT THE WAYNE COUNTY NURSING HOME**

Mr. Frederick presented the following:

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

RESOLVED, authorize the Administrator of the Wayne County Nursing Home to increase

the daily rate effective January 1, 2006 (inclusive of cash receipts assessment tax):

Semi-Private Room from \$255

Private Room from \$265

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

**RESOLUTION NO. 752-05: APPOINTMENT TO WORKFORCE INVESTMENT BOARD**

Mr. Frederick presented the following:

RESOLVED, that the WC Board of Supervisors hereby endorses the appointments of the following Private Sector Representative to the Workforce Investment Board:

Mr. Ray Mathes, Vice President of Human Service

Garlock Sealing Technologies

166 Division Street

Palmyra, NY

Term ending: June 30, 2007

RESOLVED, that the Deputy Clerk of the Board of Supervisors is hereby authorized and directed to send certified copies of this resolution to the appointee, the Workforce Investment Board and to the Wayne, Seneca, Ontario, and Yates County Departments of Workforce Development.

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

**RESOLUTION NO. 753-05: AUTHORIZATION TO CREATE DEPUTY COMMISSIONER OF SOCIAL SERVICES POSITION ESTABLISH LINE ITEM AND TRANSFER FUNDS**

Mr. Frederick presented the following:

WHEREAS, the County of Wayne wants to increase the administration and direct oversight of the Nursing Home in an effort to control the cost of the Nursing Home operation while continuing to provide quality care to Nursing Home Residents; and

WHEREAS, in order to implement said increased administration and oversight, it is necessary to create a Deputy Commissioner of Social Services position to assist the Commissioner of Social Services in the day to day operations of the Nursing Home; now, therefore, be it

RESOLVED, that the County of Wayne hereby authorizes the creation of the position of Deputy Commissioner of Social Services, pending Civil Service jurisdiction classification, the Nursing Home Administrator will report directly to and be supervised by the incumbent holding this position; and be it further

RESOLVED, that the incumbent holding this position will report to the Commissioner of Social Services on all aspects of the Nursing Home operation; and be it further

RESOLVED, that the Commissioner of Social Services is authorized to fill the Deputy Commissioner of Social Services position at a salary of \$74, 250; and be it further

RESOLVED, that the County Treasurer is authorized to make the following 2005 County Budget amendments:

**Account No. A6010-SOCIAL SERVICES ADMINISTRATION:**

\$15,500.00 to .1191 Deputy Commissioner

\$ 2,015.00 to .8100 Payments to Retirement

\$ 1,186.00 to .8200 Payments to Social Security

\$ 1,385.00 to .8400 Hospitalization Expense

\$ 39.00 to .8600 Disability

\$18,113.00 to .4610 Social Services Administration

**Account No. A1990-CONTINGENT FUND GEN:**

\$ 2,012.00 from .4000 Contractual Expense

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

**RESOLUTION NO. 754-05: AUTHORIZE COMMISSIONER TO APPOINT MANAGEMENT TEAM TO WORK WITH NURSING HOME ADMINISTRATION**

Mr. Frederick presented the following:

WHEREAS, Wayne County is desirous of making sure that the Wayne County Nursing Home is being operated in the most efficient manner possible; and

WHEREAS, the Wayne County Board of Supervisors is of the belief that a team approach is needed to most effectively address management needs; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Commissioner of Social Services to appoint a management team to work with the present Nursing Home Administration to implement financial savings and restraint. This team will include (but not be limited to) the following:

1. Commissioner of Social Services
2. Nursing Home Administrator
3. County Administrator
4. Social Services Committee member
5. Other members (up to 2) with nursing home expertise
6. Deputy Commissioner of Social Services

Mrs. Chittenden moved the adoption of the resolution. Seconded by Mr. Pascarella. Upon roll call, all Supervisors voted Aye, except Supervisor Fabino who voted Nay. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 755-05: AUTHORIZATION TO SUPPORT THE REBUILD AND RENEW NEW YORK TRANSPORTATION BOND ACT OF 2005**

Mrs. Chittenden presented the following:

WHEREAS, the 2005/2006 New York State budget included a five-year \$35.8 Billion dollar capital transportation plan; and

WHEREAS, included within the plan is the \$2.9 Billion dollar Rebuild and Renew New York Transportation Bond Act of 2005 which will go before the voters this November; and

WHEREAS, all levels of government, and the various counties and residents of the State of New York will receive significant benefit from additional funding provided through the passage of the bond act, recognizing that roads and bridges owned by the State of New York are the primary beneficiaries of the bond act funding, resulting in increased economic development opportunities; and

WHEREAS, the residents of the State of New York have overwhelmingly expressed their support for increased investment in the maintenance and improvement of roads and bridges within the State to provide for a safer and more efficient transportation system; and

WHEREAS, local governments are responsible for eighty five percent of the state's 110,000 miles of roadways, and are also responsible for fifty percent of the state's 18,000 bridges; and

WHEREAS, the New York State County Highway Superintendents Association, Inc., while supporting the bond act, believe infrastructure is best maintained through dedicated highway funding on a "pay as you go" system, rather than a continued reliance on bond financing; now, therefore, be it

RESOLVED, that the New York State County Highway Superintendents Association, Inc. expresses its support for the Rebuild and Renew new York Transportation Bond Act of 2005; and be it further

RESOLVED, that the bond act does not have a specific component for local roads and bridge funding and counties are still in need of additional financial support to maintain local roads and bridges, allowing for seamless upgrade to the entire infrastructure of the Sate; and be it further

RESOLVED, that New York State County Highway Superintendents Association calls upon Governor Pataki and the New York State Legislature to provide for additional funding for local roads and bridges infrastructure needs during the course of the 2006 State Legislative

session; and be it further

RESOLVED, that the New York State County Highway Superintendents Association, Inc. shall forward copies of the resolution to Governor George E. Pataki, the full member ship of New York State Legislature, NYSAOTSOH, ACECNY, AGC, NYSSPE, NYSAC and all others deemed necessary and proper.

Mr. Colvin moved the adoption of the resolution. Seconded by Mr. Frederick. Upon roll call, all Supervisors voted Aye, except Supervisors Spickerman and Hammond who voted Nay. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 756-05: AUTHORIZING COUNTY/TOWN CONTRACTS FOR SNOW AND ICE CONTROL ON WAYNE COUNTY HIGHWAYS**

Mrs. Chittenden presented the following:

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute County/Town contracts for snow and ice control on County Highways during the 2005-2006 winter season, subject to the County Attorney's approval as to form and content, and subject to the following per mile lump-sum fee schedule:

Arcadia	\$3,135	Palmyra	\$3,080
Butler	\$3,190	Rose	\$3,190
Galen	\$3,080	Savannah	\$3,080
Huron	\$3,300	Sodus	\$3,300
Lyons	\$3,135	Walworth	\$3,190
Macedon	\$3,080	Williamson	\$3,300
Marion	\$3,190	Wolcott	\$3,300
Ontario	\$3,300		

and be it further

RESOLVED, that payment shall be made to the Towns in accordance with the New York State Department of Transportation "J" mile payment system.

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

**RESOLUTION NO. 757-05: AUTHORIZATION TO CONTRACT WITH WAYNE AREA TRANSPORTATION SYSTEMS (WATS) FOR TRANSPORTATION OF VETERANS TO CANANDAIGUA VAMC**

Mrs. Bender presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne Area Transportation System ("WATS") for the transportation of Veterans to the Canandaigua Veterans Administration Clinic, for the period January 1, 2006 to December 31, 2006 for \$6.50 per round trip with the county cost not to exceed \$17,250.00.

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

**RESOLUTION NO. 758-05: AUTHORIZATION TO CONTRACT WITH BAAR ENVIRONMENTAL FOR ADDITIONAL ASBESTOS ABATEMENT**

Mr. Fabino presented the following:

WHEREAS, additional asbestos abatement was needed upon removing the exterior of the Boiler in County Office Building #0003; and

WHEREAS, the quote from BAAR Environmental to remove the additional asbestos was less than \$5,000.00; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a

contract with BAAR Environmental subject to form and content by the County Attorney for the abatement of asbestos as per the attached quote in the amount of \$ 4,870.00.

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

**RESOLUTION NO. 759-05: AUTHORIZATION TO DECLARE ITEMS SURPLUS AND SUBMIT INVENTORY LIST FOR UPCOMING PUBLIC SALE AND AUCTION**

Mr. Fabino presented the following:

WHEREAS, there are many pieces of surplus equipment that have been declared surplus or have been inventoried and yet to be declared surplus from various county departments; and

WHEREAS, that it has been propose to collect and inventory all surplus items County-wide and present a complete list of said items to be included in a Public Sale and Auction; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds it hereby authorized to finalize inventory and present a complete list of all surplus equipment items to the Clerk of the Board of Supervisors for the purpose of advertising for an upcoming Public Sale and Auction of Surplus Wayne County Equipment; and be it further

RESOLVED, that all items on submitted and approved inventory list are hereby declared surplus; and be it further

RESOLVED, that upon submission and approval of said inventory list, the Clerk of the Board is hereby authorized to advertise for a public sale and auction of Wayne County Surplus Equipment.

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

**RESOLUTION NO. 760-05: AUTHORIZATION TRANSFER FUNDS FROM CAPITAL RESERVE ACCOUNT INTO 2005 OPERATING BUDGET FOR BUILDINGS AND GROUNDS**

Mr. Fabino presented the following:

WHEREAS, the County of Wayne consolidated all its projects (H Funds) into a Capitol Reserve account effective December 31, 2004; and

WHEREAS, Buildings and Grounds has current obligations to pay which would have been expended out of said H Projects; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$32,842.00 from A 878 Capital Reserve to Account No. A1615.4600 (Miscellaneous expense) for the following projects:

<b>PROJECT</b>	<b>RES. NO.</b>	<b>AMOUNT</b>
Installation of 1 - Boiler in Cty. Offc. Bldg #0003	628-05	\$27,242
Installation of 3 - Automatic Door Openers for Court House	607-05	5,600

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

**RESOLUTION NO. 761-05: AUTHORIZATION TO ADVERTISE FOR BIDS FOR JANITORIAL AND CUSTODIAL SERVICES FOR THE HEALTH SERVICES BUILDING**

Mr. Fabino presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for Janitorial and Custodial Services for the Health Services Building, in accordance with specifications prepared by the Superintendent of Buildings and 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 bid(s) at the next meeting of the Board of Supervisors following the bid opening.

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

**RESOLUTION NO. 762-05: AUTHORIZATION TO CONTRACT WITH REYNOLDS AUCTION CO. AND ADVERTISE FOR PUBLIC LIQUIDATION SALE AND AUCTION**

Mr. Fabino presented the following:

WHEREAS, the Superintendent of Buildings and Grounds has received and reviewed proposals for dispersal of surplus county furniture and equipment by the following respondents: Village Auction Co., 11364 Ridge Road, Wolcott, NY  
Reynolds Auction Co., PO Box 508, Newark, NY  
and

WHEREAS, the proposals were presented to the Buildings and Grounds Standing Committee; now, therefore, be it

RESOLVED, that the committee has decided to retain Reynolds Auction Company for the purposes of conducting a public liquidation sale and auction to be held on Friday, December 2 and Saturday, December 3, 2005 with the following fee schedule to be paid by the auction company:

- A flat fee for on-site labor to set up sale \$ 500.00
- Advertising Expense not to exceed \$1,000.00
- Seller Marketing Fee of 25%, calculated on the gross proceeds of the sale
- Public Auction Fee of 10% on any remaining inventory sold on last day of sale

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 Reynolds Auction Co., for the purposes of conducting a public liquidation sale and auction on Friday, December 2 and Saturday December 3, 2005; and be it further

RESOLVED, that the Clerk of the Board is hereby authorized to advertise for said public liquidation sale and auction in the Wayne County Legal Newspapers, in accordance with specifications as to date and time approved by the County Attorney.

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

**RESOLUTION NO. 763-05: AMEND APPLICATION 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; and

WHEREAS, the Director has received additional information regarding this application and recommends amending the amount of corrected tax to be as the following, now there 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 WALWORTH**

2005 Tax Roll

Account No.: 60113-00-978916  
Assessed to: Margery B. Metcalfe  
Corrected Total Tax: \$1,465.52

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

**RESOLUTION NO. 764-05: 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 SAVANNAH**

**2005 Tax Roll**

Account No. 76111-00-239797  
Assessed to: Stanley Jeremiah (Moody)  
Refund: \$1,703.23

**2004 Tax Roll**

Account No. 76111-00-239797  
Assessed to: Stanley Jeremiah (Moody)  
Refund: \$912.10

**2003 Tax Roll**

Account No. 44111-00-213794  
Assessed to: Stanley Jeremiah (Moody)  
Refund: \$276.24

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. Colvin moved the adoption of the resolution. Seconded by Mrs. Chittenden. Upon roll call, adopted.

**RESOLUTION NO. 765-05: AUTHORIZATION TO ACCEPT BIDS FOR THE FOLLOWING AUCTION PROPERTIES; TAX MAP #71117-18-452046 –TOWN OF SODUS, TAX MAP #75117-15-695442-VILLAGE OF WOLCOTT AND TAX MAP #77117-00-578450-TOWN OF WOLCOTT**

Mr. Lyon presented the following:

WHEREAS, certain properties were acquired by the County of Wayne by tax deed and were sold at a public auction held May 18, 2005; and

WHEREAS, the Bidders on three (3) auction properties forfeited their bids and did not fulfill the terms and conditions of said sale; and

WHEREAS, sealed bids were submitted on September 15, 2005 for Tax Map #71117-18-452046, a single family home located at 5795 Shaker Road in the Town of Sodus, Tax Map #75117-15-695442, a single family home located at 11896 Orchard Street in the Village of Wolcott, and Tax Map #77117-00-578450, a single family home located at 13386 Ridge Road in the Town of Wolcott; now, therefore, be it

RESOLVED, The sale of the following properties are hereby accepted and the Chairman of the Board of Supervisors, on behalf of the County, is hereby authorized and directed to execute all documents related to said sales, subject to the County Attorney’s approval as to form and content and to deliver a quit-claim deeds for the properties in accordance with the terms and conditions of sale:

TAX MAP #	TOWN	NAME & ADDRESS	BID AMOUNT
71117-18-452046	Sodus	Pamela Kern 5049 Ridge Rd. P.O. Box 162 E. Williamson, New York 14449	\$1,501.00

75117-15-695442	Wolcott	John Williams & Kevin Harris 7409 Bauer Van Wickle Rd. Lyons, New York 14489	\$9,000.00
77117-00-578450	Wolcott	Pamela Kern 5049 Ridge Rd., P.O. Box 162 E. Williamson, New York 14449	\$2,001.00

and be it further

RESOLVED, that the Wayne the County Treasurer is hereby authorized and directed to issue a check for any bid deposits that are not accepted by the Wayne County Board of Supervisors.

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

**RESOLUTION NO. 766-05: ESTABLISHING 2006 COUNTY EQUALIZATION RATES**

Mr. Lyon presented the following:

RESOLVED, pursuant to Section 804 of the Real Property Tax Law, that the following rates recommended by the Equalization Committee of the Wayne County Board of Supervisors are hereby adopted and established as the County Equalization rates for the towns in Wayne County for the year 2006:

Arcadia	85.00	Palmyra	100.00
Butler	100.00	Rose	100.00
Galen	100.00	Savannah	100.00
Huron	88.00	Sodus	100.00
Lyons	96.00	Walworth	100.00
Macedon	100.00	Williamson	94.00
Marion	100.00	Wolcott	100.00
Ontario	100.00		

and be it further

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

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

**RESOLUTION NO. 767-05: AUTHORIZATION TO PAY PRIVATE INVESTIGATOR**

Mr. Lyon presented the following:

WHEREAS, Elizabeth Kosoff-Boda filed a claim, dated September 15, 2003, against the County of Wayne; and

WHEREAS, James E. Metzler, Esq. of the law firm of Boylan, Brown, Code, Vigdor & Wilson, has requested that the County of Wayne approves payment to a private investigator to locate a third party defendant at a cost of Sixty and 00/100 Dollars (\$60) per hour; and

WHEREAS, the private investigator estimates that his services to locate and serve the third party defendant would be in a range of Five Hundred and 001/00 Dollars (\$500) to One Thousand and 00/100 Dollars (\$1,000); now therefore be it

RESOLVED, that the County Attorney is hereby authorized to pay the total due for investigator services to locate and serve the third party defendant in the Elizabeth Kosoff-Boda claim from Account No. A1930.4000 (Judgments & Claims) at a total cost not to exceed One Thousand and 00/100 Dollars (\$1,000).

Mr. Colvin moved the adoption of the resolution. Seconded by Mrs. Chittenden. Upon roll

call, adopted.

**RESOLUTION NO. 768-05: AUTHORIZATION TO REFILL VACANT ACCOUNT CLERK POSITION IN THE BOARD OF SUPERVISORS OFFICE**

Mr. Jenkins presented the following:

WHEREAS, the Board of Supervisors' office had an account clerk vacancy occur on September 30, 2005 and this position provided adequate office coverage and performed the audit of claims required in the monthly payment process; and

WHEREAS, the Board of Supervisors' office qualifies under the hiring freeze resolution as an Department with less than 5 employees; and

WHEREAS, the Board of Supervisors' office has determined that this position is critical to the operation of the County; now, therefore, be it

RESOLVED, that the County Administrator hereby requests that the Personnel Department canvass for the refilling of the Account Clerk position; and be it further

RESOLVED, that the County Administrator is authorized to fill the account clerk position within the guidelines provided by civil services; and be it further

RESOLVED, that the Board of Supervisors' office is cognizant of the hiring freeze, and will not refill the account clerk position for the 60 day period from the time of the vacancy.

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

**RESOLUTION NO. 769-95: AUTHORIZATION FOR INSTALLATION OF VOICEMAIL BOXES FOR THE COUNTY ATTORNEY'S OFFICE**

Mr. Jenkins presented the following:

WHEREAS, The Superintendent of Buildings & Grounds has provided cost information for the installation and use of voicemail by the County Attorney's Office; and

WHEREAS, the availability of voicemail will allow more efficient and accurate documentation and retrieval of messages; and

WHEREAS, the cost of voicemail for County Departments is \$2.50 per voicemail box per month in addition to the \$13.00 monthly phone charge; now, therefore, be it

RESOLVED, that the Wayne County Buildings & Grounds Department is hereby authorized and directed to hook up Five (5) voicemail boxes at the County Attorney's Office at a cost of \$2.50 per unit.

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

**RESOLUTION NO. 770-05: AUTHORIZATION TO PAY OUT OF TITLE PAY FOR INTERIM COUNTY ADMINISTRATOR**

Mr. Jenkins presented the following:

WHEREAS, resolution #572-05 authorized Mr. Keith Kubasik to fill in as Interim County Administrator effective July 21, 2005; and

WHEREAS, the Wayne County Board of Supervisors wishes to compensate Mr. Kubasik for the additional duties he has assigned; now, therefore, be it

RESOLVED, the base rate of pay for Mr. Keith Kubasik be increased to \$45.274 per hour, retroactive July 21, 2005 and to continue for as long as Mr. Kubasik is in the position of Interim County Administrator or December 31, 2005, which ever comes first.

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

**RESOLUTION NO. 771-05: AUDIT OF CLAIMS**

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	\$	2,437,976.48
2. CD Fund	\$	37,879.97
3. D Fund	\$	275,254.91
4. DM Fund	\$	75,622.82
5. E Fund	\$	393,807.91
6. H Fund	\$	70,048.92

and be it further

RESOLVED, that the following utilities totaling \$ 114,604.34, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$	71,296.23
2. CD Fund	\$	273.89
3. DM Fund	\$	2,510.26
4. E Fund	\$	40,523.96

and be it further

RESOLVED, that the checks processed for the Department of Social Services for Special Assessments, totaling \$300.24, are hereby ratified.

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

**RESOLUTION NO. 772-05: AUTHORIZE TEMPORARY CLERICAL HELP ON ELECTION DAY FOR BOARD OF ELECTIONS**

Mrs. Bender presented the following:

WHEREAS, temporary clerical assistance is needed in the Board of Elections Office to assist with the General Election on Election Day, November 8, 2005; now, therefore, be it

RESOLVED, that temporary clerical help is hereby authorized a rate of \$13.00 per hour for one (1) 14 hour day on Election Day, November 8, 2005; and be it further

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

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

**RESOLUTION NO. 773-05: AUTHORIZATION TO EXECUTE CONTRACT WITH POMCO FOR FLEXIBLE SPENDING PLAN**

Mr. Lyon presented the following:

WHEREAS, Resolution # 1008-03 authorized the contract with POMCO to provide Third Party Administrative services including administrating the flexible spending account; and

WHEREAS, said contract allowed for an increase in the enrollee fee equal to the All Cities Consumer Price Index (CPI), now therefore be it

RESOLVED, that the Board of supervisors does hereby authorize the Chairman of the Board to execute an agreement with POMCO, upon review and approval of the County Attorney, for the flexible spending account to increase from \$3.00 per enrollee per month to \$3.09 per enrollee per month for the period September 1, 2005 – August 31, 2006.

Mrs. Chittenden moved the adoption of the resolution. Seconded by Mr. Colvin. Upon roll call, all Supervisors voted Aye, except Supervisor Fabino who voted Nay. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 774-05: AUTHORIZATION TO EXECUTE PARTICIPATING PROVIDER AGREEMENTS WITH POMCO**

Mr. Lyon presented the following:

WHEREAS, Resolution # 768-03 authorized the contract with POMCO to provide Third Party Administrative services; and

WHEREAS, said contract allowed for an increase in the enrollee fee equal to the All Cities Consumer Price Index (CPI); 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 POMCO for the following:

1. Enrollment cost services to increase from \$24.90 per enrollee per month to \$25.65 per enrollee per month for the period September 1, 2005 – August 31, 2006.
2. Dental claim adjudication services from @2.75 per enrollee per month to \$2.83 per enrollee per month
3. Health and Dental Services to the County Jail for \$847.00 per month for the period September 1, 2005 – August 31, 2006.

Mrs. Chittenden moved the adoption of the resolution. Seconded by Mr. Colvin. Upon roll call, all Supervisors voted Aye, except Supervisor Fabino who voted Nay. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 775-05: AMEND CONTRACT WITH WCAP FOR RESPITE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES**

Mr. Frederick presented the following:

WHEREAS, youth at risk of placement in non-secure detention due to PINS-type behaviors are required by law to have a respite service available; and

WHEREAS, Wayne CAP is willing to provide respite services to these youth at a cost not to exceed \$10,000 per quarter; and

WHEREAS, Resolution #532-05 authorized a contract with Wayne CAP for such services; now, therefore, be it

RESOLVED, that the end date of the contract be extended to 12/31/05 from 9/30/05 with the total expenditures remaining the same.

Mr. Molino moved the adoption of the resolution. Seconded by Mr. Hoffman. Upon roll call, adopted.

**RESOLUTION NO. 776-05: FILL POSITIONS AT THE WAYNE COUNTY NURSING HOME**

Mr. Frederick presented the following:

WHEREAS, the Wayne County Nursing Home needs to have sufficient medical staff and household assistant staff available to run a medically safe facility; and

WHEREAS, sufficient staffing is not presently available to meet the Home's needs; now, therefore, be it

RESOLVED, that the Wayne County Commissioner of Social Services is authorized to hire up to 2 registered nurses and 3 part-time household assistants to meet the Wayne County Nursing Home's staffing needs.

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

**RESOLUTION NO. 777-05: AUTHORIZE TRANSFER OF FUNDS FOR DEPARTMENT OF SOCIAL SERVICES**

Mr. Frederick presented the following:

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

Account No. A6109 – Family Assistance

\$174,103 from .4710 (Family Assistance) to .4722 (EAF-FC).

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

**EXECUTIVE SESSION:** Mr. Frederick moved, seconded by Mr. Jenkins, that the Board go into executive session to discuss a personnel matter. Upon roll call, carried.

**ADJOURNMENT:** The Chairman adjourned the meeting until Tuesday, November 15, 2005 at 9:00 a.m. Upon roll call, carried.

Sandra J. Sloane, Clerk, Wayne County Board of Supervisors  
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10/18/05

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