

9th Day
Tuesday, May 18, 2010
9:00 a.m.

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

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

Upon roll call, all Supervisors were present.

County Administrator James Marquette and County Attorney Daniel Wyner were also present.

APPROVAL OF MINUTES:

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

COMMUNICATIONS:

The Clerk read the following:

A copy of the County Auditor's accounts payable report for May 2010 totaling \$5,076,324.65 was received and filed.

The Board received a thank you note from Sharon Lilla for the lovely fruit basket she received from the Board of Supervisors.

A letter was received from Senator Michael Nozzolio, sharing the County's opposition for legislation S.7000-a, which would require accident and health insurance policies to provide coverage for screening, diagnosis and treatment of an autism spectrum disorder.

Copy of an adopted resolution was received from both Ontario and Seneca County Board of Supervisors regarding endorsement of appointments to the Finger Lakes Workforce Investment Board.

A Public Hearing regarding the Wayne County Industrial Development Agency 2010 real estate transfer of Pomona Packing, LLC is scheduled on Thursday, May 20, 2010 at 9:00 a.m. in the Village of Wolcott Offices on New Hartford Street, Wolcott.

A letter was received from Alan Vincent, President of the Canalway Trails Association of New York, urging Wayne County to contribute funds to assist in the extension of the Erie Canalway Trail section from Lockport to Newark.

Copy of Resolution No. 199-10 from Fulton County, entitled, "Urging Governor Paterson and NYS Legislature to Delay Proposed Implementation of Ignition Interlock Provisions of Leandra's Law", was received and filed.

A copy of Resolution No. 204-10 received from Fulton County entitled, "Directing the Probation Director NOT to submit a County Plan to Department of Probation and Correctional Alternatives for Implement of Leandra's Law Interlock Device Procedures".

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

BIDS:

Buildings and Grounds

- Operation of a Food Concession Stand at the Sodus Point Bathhouse, Sodus Point Park

Highway Department

- Culvert Pipe for the Sodus Center Road Culvert Project for Wayne County Highway Department
- Repair of the In-Ground Vehicle Lift in the Highway Shop
- Purchase of a 2010 or Newer Rubber Tired Excavator

Nursing Home

- Purchase and Installation of Ceiling Lifts

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

Chairman Hoffman introduced Mr. Bruce Clingerman, GM Global Technology Corp., for his presentation on fuel cell technology. Mr. Clingerman and explained sustainable energy and the reasons to move to the hydrogen economy. Mr. Clingerman entertained questions along with bringing a fuel cell electric vehicle for inspection and test drives.

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

PROCLAMATIONS:

- Palmyra-Macedon High School Girls' Indoor Track Relay Team
Section V Class C Indoor Track Champions
- Palmyra-Macedon High School Varsity Wrestling Team
Section V Champions; NYS Division II Tournament Champions; BBB Sectional Champions; NY Small School Duel Meet Champions; Finger Lakes East League Champions

RECESS:

The Chairman announced that the Board would be taking a 10 minute recess at 9:32 a.m.

REGULAR SESSION:

The Board Meeting resumed at 9:40 a.m.

RECOGNITION:

On behalf of the Wayne County Board, Robert Plant, Chairman of the Public Safety Committee, acknowledged and congratulated Mr. George Bastedo, Director of Wayne County Emergency Management, for being approved by the IAEM Certification Commission to receive the Certified Emergency Manager® (CEM®) credential.

PRIVILEGE OF THE FLOOR:

Chairman Hoffman opened the floor at 9:51 a.m. for members of the public to address the Board of Supervisors pertaining to items listed on the agenda for Board discussion and consideration. The following concerned citizens addressed the Board:

Carol May	Williamson, NY	Erie Canal Trail
Jon Fontaine	Marion, NY	Erie Canal Trail
Mark DeCracker	Lyons, NY	Erie Canal Trail
Jerry Ashley	Lyons, NY	Erie Canal Trail
Peter Evans	Williamson, NY	Erie Canal Trail
Jack McCranels	Lyons, NY	Erie Canal Trail
Patricia Alena	Lyons, NY	Erie Canal Trail

Electronic Mail

Larry Ann Evans	Exec Director Museum of Wayne County	History	Erie Canal Trail
Andrea Evangelist	President of the Lyons Civic Club, Inc	Erie Canal Trail	

Supervisors Robert Kelsch and Kenneth Lauderdale addressed the Board to present a report entitled: **Recycling Investigation – Wayne County, NY.**
The report proposed two questions to the Board for consideration:

1. Should Wayne County continue to operate a recycling effort for the collection and disposal of recyclable materials; and

2. *Is it the job of the Wayne County Legislative Board to cut taxes or make it as inexpensive as possible to live in Wayne County.*

Excerpts from the report submitted:

Pg. 2.

In essence, "this report tries to shed some light on Wayne County recycling. It contains information from the Wayne County Waste Authority web site <http://wfingerlakesauthority.org/Home.php>, the Wayne County Fiscal Advisory Team (FAT) report of 2005, a visit to Tompkins County Recycling, web based research and conversations with members of FAT, an advisor to Wayne County Recycling and members of the general public.

The more we learned the more questions we have. The answer to the first question above should be based on factual financial and business analysis and implemented in a way that provides for the best long term fiscally responsible environmental situation for our county and its residents."

Pg. 16.

Conclusion

In our investigation with the answer to each question came ten more questions. Too many questions remain unanswered and the stakes are, in the long term, too high to make a decision based on what is know so far.

Recommendation

There are several next steps to be taken.

1. Hire an outside person (no connection to Wayne County, the recycling industry or any of the decision makers. At a rough scope it may be a 3 to 6 month effort costing \$25,000 to \$50,000 and should be done through an RFP or similar invitation.
2. Supervisors to review the business plan showing Profit & Loss and capital projections against what is produced by the Authority.
3. Perform a detailed study of recycling looking at a number of currently operating models of effective recycling operations. Consider the following elements;
 - Dual vs. single stream
 - Capital equipment replacement / funding
 - Business partnerships; county/private
 - What are the market predictors for recyclables?
 - Where are the markets for recyclables?
 - How does future "Product Stewardship" legislation play into Wayne County's recycling plans?
 - Review FAT recommendations
 - and more
4. Develop/understand the metrics and measures of the recycling business.
5. Solicit input, process suggestions and output evaluation of results from SCORE."

Mrs. Collier thanked Mr. Kelsch and Mr. Lauderdale and commended their efforts in putting this excellent presentation together for the Board today.

RECESS:

The Chairman announced that the Board would be taking a 5 minute recess at 10:41 a.m.

REGULAR SESSION:

The Board Meeting resumed at 10:48 a.m.

RESOLUTION NO. 321-10: AUTHORIZING PUBLIC AUCTION SALE OF REAL PROPERTY ACQUIRED BY THE COUNTY FOR DELINQUENT TAXES

Mr. Hammond presented the following:

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law of the State of New York pertaining to the enforcement of the collection of delinquent taxes, the County of Wayne has or will acquire title to the real property as shown on Appendix A (attached hereto and incorporated herein by reference) and is entitled to acquire title by Court Order to the properties from 2008 listed on Appendix A; and

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law, real property acquired by tax deed or Court Order may be disposed of by the County at such times and upon such terms as shall be determined by the Board of Supervisors; now, therefore, be it

RESOLVED, in accordance with Article Eleven (11) of the Real Property Tax Law;

FIRST: The County Treasurer is hereby authorized and directed to convey title to the County of Wayne for the properties listed on Appendix A which are not redeemed for the year 2008 as of the close of business on June 15, 2010.

SECOND: The County Attorney is hereby authorized and directed to take appropriate action regarding removal of property from the auction list after the filing of the Summary Judgment of the Petition of Foreclosure and up to the time of the auction.

THIRD: The Director of Real Property Tax Services is hereby authorized, empowered and directed to conduct a public auction sale of the properties listed on Appendix A at the County Courthouse, 26 Church Street, Lyons, New York, on June 16, 2010, commencing at 6:00 p.m.

FOURTH: The Director of Real Property Tax Services is hereby authorized and directed to advertise the auction sale in such manner as he/she may deem suitable for obtaining the greatest public participation in the sale and to charge the advertising cost to Account No. A1362.4402 (Tax Advertising and Expense – Advertising).

FIFTH: Each parcel of property shall be offered and sold at the public auction sale subject to the following terms and conditions of sale:

COUNTY OF WAYNE REAL PROPERTY AUCTION SALE

Held at the Old Courthouse

26 Church Street, Lyons, NY

June 16, 2010 at 6:00 p.m.

TERMS AND CONDITIONS OF SALE

1. The property offered for sale has been acquired by the County of Wayne (hereinafter referred to as the "**County**") by Court Order pursuant to the provisions of Title 3, Article 11 of the Real Property Tax Law of the State of New York.
2. All potential Bidders/Buyers must provide acceptable photo identification for issuance of a bid number.
3. All Bidders/Buyers must register for this auction and hold a bid number.
4. Former owners will not be allowed to bid on their properties.
5. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom Wayne County Foreclosed and has no intent to defraud Wayne County of the unpaid taxes, assessment, penalties, and charges which have been levied against the property. The

purchaser agrees that neither he/she nor his/her assigns shall convey, the property to the former owner(s) against whom Wayne County foreclosed within 24 months subsequent to the auction date. If such conveyance occurs, the purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to Wayne County as related to the foreclosure on the property and consents to immediate judgment by Wayne County for said amounts.

6. **NO PERSON OR ORGANIZATION CAN BID ON PROPERTIES AT THE AUCTION IF THEY, OR A CORPORATION OR COMPANY THEY ARE AFFILIATED WITH, OWE PROPERTY TAXES (CURRENT YEAR OR PRIOR YEAR) TO WAYNE COUNTY. ALL TAX LIABILITIES MUST BE PAID PRIOR TO THE AUCTION IN ORDER TO BID AT THE AUCTION. Previously defaulting parties are not allowed to bid.** Failure to comply with this provision will be grounds for default and forfeiture of any deposits paid.
7. The auctioneer's decision regarding any disputes is final, and the auctioneer reserves the right to reject any bid that is not an appreciable advancement over the preceding bid.
8. The property will be conveyed by the County to the purchaser by quit-claim deed, containing a description of the property as it appeared on the tax roll for the year upon which the County acquired title or as corrected up to date of deed. The deed will be recorded by the County upon payment in full of the purchase price and closing fees/cost. **POSSESSION OF PROPERTY IS FORBIDDEN UNTIL THE DEED IS RECORDED WITH THE WAYNE COUNTY CLERK CONVEYING TITLE TO THE PURCHASER. TITLE VESTS AT THE RECORDING OF THE DEED.** It is agreed between the County and the purchaser that delivery and acceptance of the deed occurs upon recording of the deed.
9. The County will not furnish an abstract of title or an instrument survey map.
10. **The County does not make any representations or warranties, expressed or implied,** (a) concerning the quality or the condition of the title to the property, or the validity or marketability of such title; the ownership of any improvements on the property; the condition of the property and any improvements thereon or its fitness for any use; or the accuracy of the property description on the tax roll or in the notice of sale or any other advertisement of sale furnished by the County; or (b) that the property or any improvements thereon presently comply with building or zoning codes, or with any state or local laws or regulations. Any information concerning the property furnished by the County or any of its officers, employees, or agents shall not be deemed to include any such representations or warranties. Any promotional tools such as photographic slides, tax maps, written or verbal descriptions, etc. are for informational purposes only.
11. Any successful bidder, who fails to tender the deposit at the end of the auction, will be forbidden to participate in this or any other auction. Any parcels which the County of Wayne did not receive deposits for by the end of the auction will be considered defaulted. If a purchaser fails to close on the parcel(s) that he/she bids on at the auction, he/she will be prohibited from participating at future auctions held for the County of Wayne.
12. The purchaser shall accept the property and any improvements thereon in "as is" condition with the understanding that the County makes no representation as to ownership or responsibility for any personal property located on the real property. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.
13. Evictions, if necessary, are solely the responsibility of the successful bidder after closing and recording of the deed.
14. The sale of the property is made subject to (a) village, town, state and federal claims for taxes, liens or other encumbrances, and (b) all easements or rights-of-way which were in existence at the time of the levy of the tax the non-payment of which resulted in the tax deed to the County.
15. The County will convey the property free and clear of County tax liens accrued on or before January 1, 2010.

16. The purchaser will pay all of the following taxes and charges, including all interest and penalties if applicable:
 - 2010 Village Tax; current water, sewer, other special district charges, demolition charges, and any service charges levied against property by a Municipality - **INCLUDING ANY APPLICABLE INTEREST AND PENALTIES**
 - Federal and/or State taxes, liens and encumbrances of record
 - 2010 School Tax
 - 2011 Town Tax & County Tax which may include relieved village or school taxes
 - In order to avoid future delinquent charges, the new owner should immediately advise all tax collectors of the new ownership, and the address where future tax bills are to be mailed.
17. All bids are subject to approval and acceptance by the Wayne County Board of Supervisors. The County reserves the right to sell to the second highest bidder if Purchaser defaults.
18. The Board of Supervisors reserves the right to accept or reject any or all bids, or to withdraw any parcel from the sale at any time prior to delivery of the deed to the purchaser.
19. In the event that a sale is cancelled by Court Order or judgment or by the Wayne County Board of Supervisors, the successful bidder shall be entitled only to a refund of the purchase money. Purchaser shall not be entitled to special or consequential damages, attorney fees, reimbursement for any expenses incurred as a result of ownership or improvements of the property, nor for taxes paid during the period of ownership.
20. The purchaser shall pay full payment immediately at "Knockdown" (when the Auctioneer says "sold") for any properties sold in the amount of \$2,000 or less.
21. Regarding any properties sold for more than \$2,000, the amount of \$2,000 plus 10% of the amount over \$2,000 must be paid immediately at "Knockdown"
22. All sales shall be final, absolute and without recourse, and in no event shall Wayne County be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, successors or assigns, against Wayne County arising from this sale.
23. Notice is hereby given that the premises being sold may lie within an Agricultural District as designated upon the tax map. It is the sole responsibility of any bidder to ascertain which specific parcel(s) is so designated and thereby sold subject to the provisions of law applicable thereto.
24. The purchaser's bid will be submitted to the Board of Supervisors on July 20, 2010. **IT SHALL BE THE PURCHASER'S RESPONSIBILITY TO CONTACT THE COUNTY REAL PROPERTY TAX SERVICE AGENCY (315-946-5916) ON OR AFTER JULY 21, 2010 TO DETERMINE WHETHER THE BID WAS ACCEPTED OR REJECTED BY THE BOARD OF SUPERVISORS.**
25. The purchaser must pay the balance of the purchase price (paid in cash or by certified check, bank check or money order payable to the Wayne County Treasurer) together with the necessary recording taxes and fees (paid in cash or check payable to the Wayne County Clerk) to the County Treasurer not later than the close of business on August 17, 2010. Upon receipt of such payments, the deed will be recorded in the County Clerk's Office and mailed to the purchaser upon completion of the recording process. The purchaser may not assign his/her right to complete the sale. **ALL DEEDS SHALL BE EXECUTED SOLELY IN THE NAME OF THE BIDDER (AND SPOUSE, IF REQUESTED) AS REGISTERED AT THE AUCTION. IF THE PURCHASER FAILS TO MAKE SUCH PAYMENTS ON OR BEFORE AUGUST 17, 2010, THE SALE SHALL BE DEEMED CANCELLED, THE COUNTY SHALL NOT BE OBLIGATED TO CONVEY THE PROPERTY TO THE PURCHASER AND THE PURCHASER'S DEPOSIT SHALL BE RETAINED BY THE COUNTY AS LIQUIDATED DAMAGES.**
26. The purchaser shall execute a Memorandum of Purchase at the time and place of the auction sale agreeing to purchase the property subject to the terms and conditions of sale

prescribed by the County.

MEMORANDUM OF PURCHASE

I, _____, agree to purchase the property identified as Tax Map # _____, (Print Name)

Town of _____, subject to the terms and conditions of sale set forth above, for the purchase price of \$ _____.

Dated: June 16, 2010 Name: _____ (Signature)
Social Security No.: _____
Telephone: _____

Residence Address: _____

Mailing Address: _____

GRANTEE DESIGNATION IN DEED:

Name	Soc. Security #
Residence Address	
Name	Soc. Security #
Residence Address	

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

RESOLUTION NO. 322-10: AUTHORIZING PAYMENT OF SETTLEMENT TO DEBRA BENJAMIN

Mr. Hammond presented the following:

WHEREAS, Debra Benjamin filed notice of claim, dated December 15, 2008 against the County of Wayne regarding an automobile accident that occurred on September 21, 2008 between a vehicle owned by the County of Wayne and Debra Benjamin; and

WHEREAS, the parties are desirous of settling said claim for a total amount not to exceed Sixty Seven Thousand Five Hundred and 00/100 dollars, (\$67,500.00) payable to Debra Benjamin and Greene & Reid, PLLC; now, therefore, be it

RESOLVED, that the claim between Debra Benjamin and the County of Wayne has been amicably settled between the parties and payment is hereby approved; and be it further

RESOLVED, that the Wayne the County Treasurer is hereby authorized and directed to issue a check made payable to Debra Benjamin and Greene & Reid, PLLC in the amount of Sixty Seven Thousand Five Hundred and 00/100 dollars, (\$67,500.00) from Account No. A#1930 (Judgment and Claims), as directed by the Wayne County Attorney.

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

RESOLUTION NO. 323-10: AUTHORIZATION TO PAY THE INTERNAL REVENUE SERVICE (IRS) AUDIT ADJUSTMENTS FOR RECLASSIFICATION OF 2007 EXPENSES AND TRANSFER FUND FROM THE GENERAL FUND CONTINGENT ACCOUNT TO JUDGMENT AND CLAIMS

Mr. Hammond presented the following:

WHEREAS, the Internal Revenue Service (IRS) notified the County that we were selected for an audit of our 2007 expenses; and

WHEREAS, said audit has been completed, a Notice of Proposed Adjustments presented and exit interviews conducted on Friday April 23, 2010; and

WHEREAS, the Notice of Proposed Adjustments identified the following areas requiring action:

<u>FIT</u>	<u>Social Security</u>	<u>Medicare</u>	<u>TOTAL</u>	
Meal Reimbursement	\$ 622.25	\$ 308.64	\$ 72.18	\$ 1,003.07
Clothing Allowance	\$2,239.50	\$ 1,110.79	\$ 259.78	\$ 3,610.07
Cell Phones	\$3,523.75	\$ 1,747.78	\$ 408.76	\$ 5,680.29
Personal Use County Vehicles	\$1,262.25	\$ 626.08	\$ 146.42	\$ 2,034.75
Commuting Mileage Reimbursement	\$ 267.00	\$ 132.43	\$ 30.97	\$ 430.40
Secretarial Allowance	\$ 0.00	\$ 2,929.50	\$ 685.12	\$ 3,614.62
Worker Reclassification	\$6,362.82	\$28,586.42	\$7,380.88	\$42,330.12
	<u>Code 6721</u>	<u>Code 6722</u>	<u>TOTAL</u>	
1099 Issuance	\$1,650.00	\$1,650.00		\$ 3,300.00

and

WHEREAS, the County has reviewed the above information and is in agreement with the findings, now therefore be it

RESOLVED, that the Board of Supervisors approves the payment of \$62,003.32 the Internal Revenue Service for 2007 Audit findings listed in this resolution; and further

RESOLVED, that the County Treasurer is directed to make the following amendment to the 2010 County Budget to facilitate the payments:

A1930-JUDGEMENTS & CLAIMS:

\$62,003.32 .54000 Contractual Expense

A1990-CONTINGENT FUND GEN:

\$62,003.52 .54000 Contractual Expense

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

RESOLUTION NO. 324: CONCUR WITH COUNTY TREASURER'S RECOMMENDATION TO WITHDRAW FROM FORECLOSURE PROCESS, CERTAIN PROPERTIES WITH ENVIRONMENTAL ISSUES AND STATE LEASED LANDS

Mr. Hammond presented the following:

WHEREAS, the County Treasurer has identified certain real property, a copy of which is on file with the Clerk of the Board, that have a barrier to tax enforcement; now, therefore, be it

RESOLVED, that the Board of Supervisors concur with the County Treasurer's recommendation that these real property parcels listed below be withdrawn from the foreclosure process.

RE: ENVIRONMENTAL ISSUES

Town & Auction #	Property location	Owner	TM #
ARCADIA			
Seq. # 93	1303 N. Main Street	Frederick Parkinson	68111-10-365641
Seq. # 96	1309 N. Main Street	Alfred Drew	68111-10-418600
GALEN			
Seq. #393	49 Glasgow Street	Sandra L. Fischette	74112-14-367345
LYONS			
Seq. #674	Cole Road	Stockton Land Co.	71111-14-411405
Seq. #675	Cole Road	Stockton Land Co.	71111-14-475388
Seq. #676	100 Cole Road	Stockton Land Co.	71111-14-481422

MACEDON			
Seq. # 743	Quaker Road	David R. Morrison	62112-00-086345
Seq. # 746	1156 Quaker Road	David R. Morrison	62112-00-239302
Seq. # 747	2009 Canandaigua Road	David Morrison	62112-00-307310
PALMYRA			
Seq. #1007	3785 Trolley Road	Kevin M. Carrier	65111-00-564479
SODUS			
Seq. #1428	8423 Wagemaker Road	Barker Chemical Co.	71115-00-365790
WILLIAMSON			
Seq. #1701	6721 Bear Swamp Road	Louise Daniels	66118-00-406244
Re: State Leased Lands			
GALEN			
Seq. # 313	Kreagers Island	William L. Brass, Jr.	72110-00-599741
MACEDON			
Seq. #708	215 Canal Drive West	Frederick E. Decarr	61112-17-100154
Seq. #710	295 Canal Drive West	Stanley D. Connor	61112-17-188166
PALMYRA			
Seq. #1018	3995 Route 31	Daonna Scoville	65111-12-818715
Seq. #1037	4503 Route 31	Patricia A. Salerno	66110-06-457928
Seq. #1062	4979 Route 31	Paul Donovan	67110-05-048867

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

Mr. Hammond moved, seconded by Mr. Plant, that the following property listed within the township of Macedon, be removed from the list of properties:
 "Seq. # 743 Quaker Road David R. Morrison 62112-00-086345"

Upon roll call for the amended resolution, all Supervisors voted Aye, except Supervisor Crane who voted Nay. The Chairman declared the amended Resolution adopted.

RESOLUTION NO. 325-10: AMEND THE 2010 COUNTY BUDGET TO INCREASE ANTICIPATE UNEMPLOYMENT INSURANCE CLAIMS BASED UPON LAST QUARTER 2009 FIRST QUARTER 2010

Mr. Hammond presented the following:

WHEREAS, the last quarter of 2009 and the first quarter of 2010 Unemployment Insurance costs and claims were considerably larger than previously recorded; and

WHEREAS, two more quarters will be required to be charged against 2010 with 100% of the costs associated with the charges being reimbursed back to this account; now, therefore, be it

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

A9050-UNEMPLOYMENT RESERVE:

\$80,000.00 to .42801 Interfund Reimbursement of Expense

\$80,000.00 to .58000 Employee Benefits

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

RESOLUTION NO. 326-10: AUTHORIZATION TO AMEND RESOLUTION NO. 758-01

ENTITLED "AUTHORIZATION FOR THE INSURANCE/ASSESSMENT STANDING COMMITTEE TO APPROVE CERTAIN PAYMENTS FOR VEHICLE REPAIR"

Mr. Hammond presented the following:

WHEREAS, Resolution No. 758-01 provided that the Insurance/Assessment Standing Committee of the Board of Supervisors is hereby authorized to approve County owned vehicle repair payments, not exceeding \$5,000, with only Committee approval; and

WHEREAS, this procedure often results in a delay in damaged county vehicles being returned to service; and

WHEREAS, the Finance Committee upon due deliberation hereby recommends the following procedure for the approval of County owned vehicle repair payments not exceeding \$5,000:

- The department head with oversight of the damaged vehicle will get three independent repair estimates
- Said department head will submit said repair estimates to Central Garage for a review of reasonableness, comparability and completeness of said estimates
- Central Garage shall submit said estimates together with any comments to the Wayne County Attorney
- The Wayne County Attorney shall approve the repair of the vehicle in accordance with the lowest responsible and responsive repair estimate and shall so notify the department head who shall arrange to have the vehicle repaired
- The County Attorney shall submit a monthly report to the Finance Committee regarding all said vehicle repair payment approvals; now, therefore, be it

RESOLVED, that Resolution No. 758-01 is hereby amended in accordance with the above mentioned procedure.

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

RESOLUTION NO. 327-10: AUTHORIZATION TO PAY THE TOWN OF ROSE SETTLEMENT

Mr. Hammond presented the following:

WHEREAS, a 2009 ALS vehicle VIN 1D8HB38P09F712651 was involved in an accident on April 15, 2010 at the Town of Rose Highway Department wherein said vehicle collided with a rake; and

WHEREAS, the parties are desirous of settling said claim for a total amount not to exceed Ninety-Four and 63/100 dollars, (\$94.63) payable to the Town of Rose; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to issue a check made payable to the Town of Rose in the amount of Ninety-Four and 63/100 dollars, (\$94.63) from Account No. A1930 (Judgment and Claims), as directed by the Wayne County Attorney.

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

RESOLUTION NO. 328-10: ADOPTING MORTGAGE TAX REPORT AND AUTHORIZING COUNTY TREASURER TO MAKE PAYMENT TO TOWNS AND VILLAGES

Mr. Hammond presented the following:

WHEREAS, the Finance Committee of the Wayne County Board of Supervisors has filed a report showing the mortgage tax monies received by the Wayne County Treasurer during October 1, 2009 to March 31, 2010, and recommend payment to the Villages and Towns as apportioned in such report as follows:

TOWN	TOWN SHARE	VILLAGE	VILLAGE SHARE	TOTAL
Arcadia	38,066.23	Newark	16,438.45	54,504.68

Butler	5,701.52	Wolcott	366.50	6,068.02
Galen	11,039.63	Clyde	2,546.77	13,586.40
Huron	20,839.48			20,839.48
Lyons	7,332.53	Lyons	3,015.59	10,348.12
Macedon	58,488.73	Macedon	4,070.08	62,558.81
Marion	25,384.81			25,384.81
Ontario	101,232.70			101,232.70
Palmyra	25,235.83	Palmyra	5,891.75	31,127.58
Rose	15,964.39			15,964.39
Savannah	3,224.55			3,224.55
Sodus	30,116.81	Sodus	2,166.30	37,058.65
		Sodus Pt.	4,775.54	
Walworth	84,142.50			84,142.50
Williamson	52,156.93			52,156.93
Wolcott	15,200.76	Wolcott	1,894.29	17,874.41
		Red Creek	779.35	
TOTAL	494,127.40		41,944.63	536,072.03

now, therefore, be it

RESOLVED, that the Mortgage Tax Report submitted by the Finance Committee is hereby accepted, the recommendation for payments to the Villages and Towns contained in such report is hereby adopted, and the County Treasurer is hereby authorized and directed to make such payments pursuant to the report.

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

RESOLUTION NO. 329-10: AUTHORIZATION TO CREATE A COMPLIANCE DEPARTMENT AND AMEND 2010BUDGET

Mr. Hammond presented the following:

WHEREAS, Resolution No. 96-10 adopted the Wayne County Compliance Plan in accordance with federal, state and Office of Medicaid Inspector General Laws and Regulations; and

WHEREAS, the requirement to have a Compliance Plan is contained in both Federal and State Law to ensure that claims submitted are true and accurate; and

WHEREAS, Resolution No. 210-10 made several technical changes to the Wayne County Compliance Plan; and

WHEREAS, it is anticipated that the County will be expending funds on administering the Compliance Plan for Wayne County; now therefore be it

RESOLVED, that the County Treasurer is hereby directed to create the Compliance Department and various line items and transfer as follows:

A1041 COMPLIANCE DEPARTMENT:

\$600.00 to .54456 Printing

A1990-CONTINGENT FUND GEN:

\$600.00 from .54000 Contractual Expense

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

RESOLUTION NO. 330-10: RESOLUTION CREATING A FULL TIME PUBLIC DEFENDER POSITION AND ABOLISHING A PART TIME PUBLIC DEFENDER POSITION IN THE PUBLIC DEFENDER'S OFFICE EFFECTIVE JANUARY 1, 2011 AND SETTING SALARY RANGE FOR RECRUITMENT

Mr. Plant presented the following:

WHEREAS, an Ad-Hoc Committee was appointed on January 27, 2010 to review the position of Public Defender; and

WHEREAS, the Ad-Hoc Committee was comprised of Supervisors Collier (chair), Hammond, Bender, Plant and Kelsch; and

WHEREAS, the Ad-Hoc Committee met on February 19, March 12, March 22, and April 19, 2010; and

WHEREAS, the Committee developed questions about the office of Public Defender and reviewed information presented by the Public Defender's Office and the County Administrator in response to those questions; and

WHEREAS, the Committee reviewed background material about the Public Defender's Office operation, staffing levels, caseload data, case assignment and court assignment information, and comparative salary information; and

WHEREAS, after deliberation and thorough consideration of the materials presented, the Committee recommended that the part-time position of Public Defender be made Full Time effective January 1, 2011 and recommended a salary range of \$75,000 to \$85,000 per annum; now, therefore, be it

RESOLVED, that effective January 1, 2011, the position of Public Defender shall be a Full Time position; and be it further

RESOLVED, that effective December 31, 2010, the Part-Time position of Public Defender is hereby abolished; and be it further

RESOLVED, that the salary range for recruitment of the Full Time position of Public Defender shall be \$75,000 to \$85,000 per annum; and be it further

RESOLVED, that the Search Committee for the Public Defender, when established, shall review and update the position description in collaboration with the Human Resources Director.

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

RESOLUTION NO. 331-10: AUTHORIZATION FOR THE DISTRICT ATTORNEY TO APPLY FOR AN AID TO PROSECUTION GRANT FOR THE PERIOD APRIL 1, 2010 TO MARCH 31, 2011

Mr. Plant presented the following:

WHEREAS, the District Attorney has been notified that the County of Wayne may be eligible for an Aid to Prosecution Grant in the amount of \$31,800.00 with no matching funds for the period of 4/1/10 to 3/31/11; and

WHEREAS, the District Attorney has applied for and received said Grants when made available; now, therefore, be it

RESOLVED, that the District Attorney is authorized to apply for a \$31,800.00 Aid to Prosecution Grant with no matching funds for the period of 4/1/10 to 3/31/11; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute all necessary documents to implement the grant for the period of 4/1/10 to 3/31/11 on behalf of the County, subject to the County Attorney's approval as to form and content, with the New York State Division of Criminal Justice Services.

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

RESOLUTION NO. 332-10: AUTHORIZATION FOR PREPARATORY WORK IN

ASSOCIATION WITH THE INFRASTRUCTURE CONTRACT OF THE PUBLIC SAFETY RADIO INTEROPERABILITY PROJECT

Mr. Plant presented the following:

WHEREAS, when the Bid Documents for the Infrastructure Project were released, it was known that certain preparatory work would be required in association with the Project, with such work to include the following:

- Conversion of certain circuit multiplexing from the Adtran devices to the RAD Megaplex units
- Rewiring of certain equipment at both the 911 center and the back-up center at SEMO
- Alteration of certain radio channels at both sites to accommodate the newly acquired frequencies

and

WHEREAS, it was known that, due to existing maintenance contracts and prior design work, this "preparatory work" would not be included in the Infrastructure Bid, as it must be completed by the vendors holding current contracts, or originally installing the equipment to be modified; now, therefore, be it

RESOLVED, that the 911 Coordinator shall be authorized to have certain Infrastructure Project preparatory work, as mentioned above, performed by the vendors listed below, to be funded from the A1934 Homeland Security project:

Finger Lakes Communication Co. Inc. 305 Clark St. Auburn, NY 13021	\$15,275.00
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Furman Communications Inc. 1573 N. Main St. Savannah, NY 13021	\$3,000.00
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Mr. Colacino moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 333-10: ESTABLISHMENT OF THE MOBILE RADIO MODEL TO BE PURCHASED RELATIVE TO THE PUBLIC SAFETY RADIO INTEROPERABILITY PROJECT

Mr. Plant presented the following:

WHEREAS, in association with the upgrades and mandated changes specified as part of the Public Safety Radio Interoperability Project, many of the mobile radios in use by the various public safety departments and agencies stationed in Wayne County will need to be replaced; and

WHEREAS, the quantities of mobile radios to be purchased by the agencies in the county through the County's radio system upgrade will be determined individually by each department, as each department will receive a funding allocation based on its need for replacement radios, as determined through confirmation of departmental inventories; and

WHEREAS, the initial inventories have shown that the quantity of mobile radios to be purchased countywide will be approximately 350; and

WHEREAS, the Radio Communications Committee has met with vendors representing three companies whose mobile radios can be purchased utilizing existing New York State purchasing contracts; and

WHEREAS, the Radio Communications Committee has recommended, by member vote, that the Motorola model XTL1500 should be the mobile radio to be offered to the Wayne County agencies and departments who will be purchasing mobile radios through the Radio Interoperability Project; now, therefore, be it

RESOLVED, that the Motorola model XTL1500 mobile radio, at a cost of \$995.70 per unit, not including any available accessories from Motorola as may be selected by the public safety agencies in the county for whom the purchases are to be made, shall be the standard

mobile radio to be offered to the user agencies, to be purchased utilizing New York State municipal purchasing contract PT62495, with final quantities as determined by the user agencies through the application of their project funding allocations.

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

RESOLUTION NO. 334-10: ESTABLISHMENT OF THE PORTABLE RADIO MODELS TO BE PURCHASED RELATIVE TO THE PUBLIC SAFETY RADIO INTEROPERABILITY PROJECT

Mr. Plant presented the following:

WHEREAS, in association with the upgrades and mandated changes specified as part of the Public Safety Radio Interoperability Project, many of the portable radios in use by the various public safety departments and agencies stationed in Wayne County will need to be replaced, and

WHEREAS, the quantities of portable radios to be purchased by the agencies in the county through the County's radio system upgrade will be determined individually by each department, as each department will receive a funding allocation based on its need for replacement radios, as determined through confirmation of departmental inventories, and

WHEREAS, the initial inventories have shown that the quantity of portable radios to be purchased countywide will be approximately 600, and

WHEREAS, the Radio Communications Committee has met with vendors representing three companies whose portable radios can be purchased utilizing existing New York State purchasing contracts, and

WHEREAS, the Radio Communications Committee has recommended, by member vote, that the Motorola model XTS1500 should be the portable radio to be offered to the Wayne County agencies and departments who will be purchasing portable radios through the Radio Interoperability Project; now, therefore, be it

RESOLVED, that the Motorola model XTS1500 portable radio, at a cost of \$829.10 per unit, not including any available accessories from Motorola as may be selected by the public safety agencies in the county for whom the purchases are to be made, shall be the standard portable radio to be offered to the user agencies, to be purchased utilizing New York State municipal purchasing contract PT62495, with final quantities as determined by the user agencies through the application of their project funding allocations, and be it further

RESOLVED, that the user agencies may also choose to purchase the Harris Corporation M/A-Com multi-band portable radio, with the cost to be dependent on the model and accessories chosen, to be purchased utilizing New York State municipal purchasing contract PT62493, with quantities as determined by the user agencies through the application of their project funding allocations.

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

RESOLUTION NO. 335-10: ESTABLISHMENT OF THE PAGER MODEL TO BE PURCHASED RELATIVE TO THE PUBLIC SAFETY RADIO INTEROPERABILITY PROJECT

Mr. Plant presented the following:

WHEREAS, the fire departments and EMS agencies, as well as Fire and EMS coordinators in Wayne County, utilize one-way pagers (radio receivers) to alert department personnel to emergencies within their jurisdictions, and

WHEREAS, the upgrades and mandated changes associated with the Public Safety Radio Interoperability Project will necessitate that the majority of the pagers currently used by personnel will require replacement; and

WHEREAS, the quantities of pagers to be purchased by the agencies in the county through the County's radio system upgrade will be determined individually by each department, as each department will receive a funding allocation based on its need for replacement radios,

as determined through confirmation of departmental inventories; and

WHEREAS, the initial inventories have shown that the quantity of pagers to be purchased countywide will be approximately 1065; and

WHEREAS, the Motorola Minitor pager line is virtually the only public safety one-way radio pager in use currently, with the Minitor V being the current model; and

WHEREAS, the County of Saratoga has previously duly awarded a competitive purchasing contract to Motorola for the purchasing of Minitor V pagers, with Motorola willing to allow the County of Wayne to utilize said contract for its purchasing; now, therefore, be it

RESOLVED, that the Motorola Minitor V pager from Motorola Inc. shall be the standard pager to be offered to the, utilizing the aforementioned County of Saratoga purchasing contract, with final quantities as determined by the user agencies through the application of their project funding allocations; and be it further

RESOLVED, that the purchase prices for the Minitor V pagers shall be as follows:

One channel, without stored voice:	\$312.12
One channel, with stored voice:	\$348.84
Two channels, without stored voice:	\$344.08
Two channels, with stored voice:	\$380.80

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

RESOLUTION NO. 336-10: ESTABLISHMENT OF THE GRANT FUNDING ALLOCATION PROCESS RELATIVE TO THE PUBLIC SAFETY RADIO INTEROPERABILITY PROJECT

Mr. Plant presented the following:

WHEREAS, in association with the upgrades and mandated changes specified as part of the Public Safety Radio Interoperability Project, many of the mobile radios, portable radios, and pagers in use by the various public safety related departments and agencies stationed in Wayne County (collectively "user agencies") will need to be replaced; and

WHEREAS, all said user agencies have been contacted, with a review of each user agency's inventory of radio equipment performed, assessing the need for replacement equipment for either low band equipment currently in use, or VHF equipment in use that is not narrow band compliant; and

WHEREAS, the Public Safety Interoperable Communications (PSIC) grant was secured with the intent of using the funding to purchase radios for the user agencies in Wayne County; now, therefore, be it

RESOLVED, that the user agencies will be allowed an opportunity to utilize grant funds to purchase mobile radios, portable radios, and pagers on their behalf, whereby the department will receive a credit based on the inventory of user agency owned radios or pagers currently in use that will not be compatible with the system changes to be undertaken as part of the Radio Interoperability Project; and be it further

RESOLVED, the base purchase price for the mobile radio, portable radio, and two channel pager to be purchased, shall be used to calculate the grant funding allocation amount for each user agency; and be it further

RESOLVED, that each user agency having non-compliant equipment will be allotted one PSIC grant amount of funding based on the total basic replacement cost for all of their equipment identified by inventory, in that they may choose to purchase differing quantities of each category of radio and pager than the quantity that was used to develop their allocation, as well as any available accessories; and be it further

RESOLVED, that the County will purchase all mobile radios, portable radios, and pagers associated with Radio Interoperability Project funds, and will retain ownership of said radios until final completion of the grant and project are achieved, whereby the ownership of the radios will be transferred to the applicable fire department, fire district, village, town, or other applicable organization owner or governing body; and be it further

RESOLVED, each applicable organization owner or governing body shall be responsible for non-warranty repairs, breakage, or misuse during the time that the devices are owned by

the County, and shall be responsible for all repairs, breakage or misuse, as well as ongoing maintenance, following the transfer of ownership upon the completion of the project.

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

RESOLUTION NO. 337-10: AUTHORIZATION TO ADVERTISE FOR BID THE PURCHASE OF AN UNDERWATER SEARCH AND RESCUE SUPPORT VEHICLE

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of \$233,051 from the Federal Emergency Management Administration (FEMA) under the American Recovery and Reinvestment Act, for a Self Contained Transport Vehicle for Underwater Search and Rescue Operations (\$161,376) and SWAT Team related equipment (\$71,675), for the purpose of enhancing the Nation's port and maritime infrastructure, and to prevent, protect, respond to, and recover from threats or acts of terrorism; and

WHEREAS, the Wayne County Board of Supervisors previously approved the acceptance of the grant (Resolution No. 715-09) and previously approved modifying the 2010 budget for such (Resolution No. 150-10); and

WHEREAS, the Sheriff's Office, in conjunction with the County Attorney's Office, has finalized bid specifications for the Underwater Search and Rescue Vehicle portion of the aforementioned grant; and

WHEREAS, The Sheriff is requesting that the purchase of such Underwater Search and Rescue Vehicle be advertised for bids; now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bid(s) the purchase of such Self Contained Transport Vehicle for Underwater Search and Rescue Operations for the Sheriff's Office; and be it further

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

RESOLUTION NO. 338-10: AUTHORIZATION TO SURPLUS FOUR SHERIFF'S OFFICE DRUG INVESTIGATION VEHICLES

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office obtained from the Federal Asset Forfeiture Program, four motor vehicles that have been used for several years by the Wayne County Sheriff's Office in conjunction with drug investigations. The following is a list of the vehicles including year, make, model, and vehicle identification number:

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Vehicle Identification Number</u>
1999	Chevrolet	Suburban	1GNEK13R1XJ456942
1998	Chevrolet	Suburban	1GNLT13W6W2168471
1998	Cadillac	4DSD	1G6KY5491WU925690
1996	Mitsubishi	Galant	4A3AJ46G0TE305922

and

WHEREAS, the above stated vehicles have been in-service for several years and are no longer in operating order, and would cost a great deal of money to make them operational; and

WHEREAS, the stated vehicles have been replaced with other seized vehicles; and

WHEREAS, the Wayne County Sheriff's Office is requesting to surplus the aforesaid vehicles and remove them from its vehicle inventory; and

WHEREAS, the Sheriff is requesting that any proceeds from the sale of aforesaid vehicles be placed into the Sheriff's Drug Asset Forfeiture Account # TE2037; now therefore, be it

RESOLVED, that the Sheriff is hereby authorized to surplus the aforesaid vehicles and remove them from the vehicle inventory; and be it further

RESOLVED, that the Wayne County Treasurer is hereby directed to place any proceeds from the sale of the aforesaid vehicles into the Sheriff's Drug Asset Forfeiture Account # TE2037.

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

RESOLUTION NO. 339-10: AUTHORIZATION TO ACCEPT BID FOR OPERATION OF A FOOD CONCESSION STAND AT THE SODUS POINT BATHHOUSE, SODUS POINT PARK

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the operation of a food concession stand at the Sodus Point Bathhouse, Sodus Point Park, and the bids were publicly opened on Friday, April 16, 2010 at 1:30 p.m. and the following bids were received:

Bidder	Bid Amount	Bid Security	Pre-Bid Walk Through 4/9/10 at 11:00 a.m.
Michael & Christine Smith 9992 Gobblersknob Road Clyde, NY 14433	\$1,100.00 – 1 st year \$1,120.00 – 2 nd year \$1,130.00 – 3 rd year	\$160.00	✓
Robert Kersten 2144 Maple Street Road Lyons, NY 14489	\$1,500.00 – 1 st year \$1,800.00 – 2 nd year \$2,000.00 – 3 rd year	\$75.00	✓

WHEREAS, the Superintendent of Buildings and Grounds, the Buildings and Grounds Committee and the County Attorney have reviewed the proposed bid received; now, therefore, be it

RESOLVED, that 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 Robert Kersten to operate the concession stand at the Sodus Point Park Bathhouse for the 2010 bathing season, for a fee of \$1,500 for the 1st season; and be it further

RESOLVED, that the contract may be extended for an additional two years as per terms and conditions of the contract.

Mr. Colacino moved the adoption of the resolution. Seconded by Mr. Groat.

Mrs. Collier addressed the Board with her concerns of the proposed resolution to contract with the "higher bidder", (as in this case) instead of basing a contract decision with a vendor with experience and training from the former concession stand operator.

Upon roll call, all Supervisors voted Aye, except Supervisors Collier, LeRoy and Plant who voted Nay. Mr. Manktelow abstained from voting. The Chairman declared the Resolution adopted.

RESOLUTION NO. 340-10: AUTHORIZATION TO CONTRACT FOR WATER TREATMENT SERVICES FOR WAYNE COUNTY OWNED HVAC EQUIPMENT

Mr. LeRoy presented the following:

WHEREAS, Wayne County has numerous facilities with HVAC equipment that requires

conditioned water; and

WHEREAS, an RFP was solicited from Rochester Midland Corporation, Jemco Water Treatment, and Waterwise of America; and

WHEREAS, Waterwise of America and Jemco Water Treatment submitted completed information packages to said RFP, as indicated below for their base treatment package:

<u>JEMCO Water treatment Services</u>	\$ 7,450.00 1 st year
	\$ 7,450.00 2 nd year
	\$ 7,450.00 3 rd year
<u>Waterwise of America, Inc.</u>	\$ 5,920.00 1 st year
	\$ 6,097.60 2 nd year
	\$ 6,280.53 3 rd year

WHEREAS, upon review of the two proposals received, based on the services that Wayne County has required in the past several years; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with Waterwise of America, subject to approval by the County Attorney as to form and content for the period of May 1st, 2010 through April 30th, 2013.

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

RESOLUTION NO. 341-10: AUTHORIZATION TO STANDARDIZE EQUIPMENT FOR AUTOMATIC DOOR OPENERS FOR COUNTY BUILDINGS

Mr. LeRoy presented the following:

WHEREAS, Wayne County, has made an investment in their buildings over the past decade to make it's older buildings more handicapped accessible; and

WHEREAS, one of the major investments over the years has been the addition of automatic door openers; and

WHEREAS, Wayne County currently has a total of ten (10) automated door openers, all manufactured by Horton Industries, in several County Office buildings; and

WHEREAS, for reasons of efficiency and economy, the Buildings and Grounds Department has recommended standardization of Horton automated door openers for the purposes of a retrofit application in existing County buildings; and

WHEREAS, for these reasons the Public Works Committee has recommended adoption of a standardization Resolution; now, therefore, be it

RESOLVED, that the Board of Supervisors, of the County of Wayne, for the stated reasons of efficiency and economy, hereby requires that only Horton Automated Door Openers and associated equipment be used in it's existing buildings; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to purchase said equipment from the local factory certified installer of Horton equipment that provides the best price for installation and maintenance of said equipment; and be it further

RESOLVED, that this resolution shall take effect immediately.

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

RESOLUTION NO. 342-10: AUTHORIZATION TO ACCEPT LOW BID FOR CULVERT PIPE FOR THE SODUS CENTER ROAD CULVERT PROJECT FOR WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the County Highway Superintendent requested to advertise for culvert pipe for the Sodus Center Road Culvert Project D51122.52637 and was granted approval in Resolution 202-10; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for culvert pipe for the County Highway Department, and the bids were open on Thursday, April 29, 2010 at 10:00 a.m. and the following bids were received:

<u>Bidder</u>	<u>Bid Amount</u>
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Chemung Supply Corp.	\$6,817.00
Vellano Bros., Inc.	\$8,128.77
MJ Pipe & Supply	\$8,590.00

now, therefore, be it

RESOLVED, that the bid submitted by Chemung Supply Corp. of Elmira, NY in the bid price of \$ 6,817.00 in accordance with the specifications, is hereby accepted; and be it further

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

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

RESOLUTION NO. 343-10: AUTHORIZATION TO ACCEPT LOW BID FOR THE REPAIR OF THE IN-GROUND VEHICLE LIFT IN THE HIGHWAY SHOP AND TRANSFER FUNDS FROM THE GENERAL FUND CONTINGENT ACCOUNT

Mr. LeRoy presented the following:

WHEREAS, the vehicle lift located in the Highway Shop has a damaged rear cylinder and has been out of service since February 2010; and

WHEREAS, the County Highway Superintendent requested to advertise for the repair of the in-ground vehicle lift in the Highway Shop and was granted approval in Resolution 205-10; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the repair of the in-ground lift for the County Highway Department, and the bids were open on Thursday, April 8, 2010 at 10:00 a.m. and the following bid was received:

Filtrec Corp of Auburn, NY	\$19,900.00
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now, therefore, be it

RESOLVED, that the bid submitted by Filtrec Corp. of Auburn, NY in the bid price of \$ 19,900.00 in accordance with the specifications, is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Filtrec Corp. in accordance with the bid acceptance; and be it further

RESOLVED that the County Treasurer is hereby authorized and directed to transfer \$19,900.00 from the General Fund Contingency Account as following:

A1990-CONTINGENT FUND GEN:

\$19,900.00 from .54000

A9901-INTERFUND TRANSFERS:

\$19,900.00 to .59400 Transfer-Machinery

DM5130 Road Machinery

\$19,900.00 to .54407 – Building Maintenance and Repair

DM9999-OTHER:

\$19,900.00 to .45031 Interfund Transfers

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

RESOLUTION NO. 344-10: AUTHORIZATION TO ACCEPT LOW BID FOR ONE (1) 2010 OR NEWER RUBBER TIRED EXCAVATOR FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT AND TRANSFER FUNDS FROM GENERAL FUND CONTINGENT ACCOUNT

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department has the need to replace a 1993 Case Excavator; and

WHEREAS, the County Highway Superintendent requested to advertise to purchase on (1) 2010 or newer rubber tired excavator and was granted approval in Resolution 203-10; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for rubber tired excavator for the County Highway Department, and the bids were open on Thursday, April 1, 2010 at 10:00 a.m. and the following bids were received:

Southworth Milton CAT	M316D	\$217,913
George & Swede	Hyundai 200W-7A	\$162,990
Vantage Equipment	Volvo EW160C	\$190,805
Vantage Equipment	Volvo EW180C	\$206,325

and

WHEREAS, the Hyundai excavator specification had 13 bid exceptions, the Volvo 160C had 10 bid exceptions and the Volvo 180C had 8 bid exceptions; and

WHEREAS, the M316D excavator as submitted by Southworth Milton CAT meets or exceeds all of the specifications described in the bid; now, therefore, be it

RESOLVED, that the bid submitted by Southworth Milton CAT of Batavia, NY in the bid price of \$ 217,913 in accordance with the specifications, is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Southworth Milton CAT in accordance with the bid acceptance; and be it further

RESOLVED that the County Treasurer is hereby authorized and directed to transfer \$13,288.25 from the General Fund Contingency Account as following:

A1990-CONTINGENT FUND GEN:

\$13,288.25 from .54000

A9901-INTERFUND TRANSFERS:

\$13,288.25 to .59400 Transfer-Machinery

DM5130 Road Machinery

\$13,288.25 to .52400 – Highway And Street Equipment

DM9999-OTHER:

\$13,288.25 to .45031 Interfund Transfers

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

Mr. Spickerman addressed the Board to state that he felt that Wayne County did not need to purchase expensive, high quality equipment to be able to get the job done; and further added that the difference in this cost savings could be put towards projects like the completion of the Erie Canal Trail.

Upon roll call, all Supervisors voted Aye, except Supervisors Spickerman, Crane, Collier and Lauderdale who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 345-10: AUTHORIZATION TO ALLOW HIGHWAY SUPERINTENDENT TO PURCHASE USED ITEMS LISTED ON THE OGS FEDERAL SURPLUS PROPERTY WEBSITE

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department often has a need to replace equipment; and

WHEREAS, the replacement item does not always need to be a new piece of equipment; and

WHEREAS, the Federal Government will periodically offer surplus equipment for sale to municipalities through the OGS website listing service, some of which is located across New York State; and

WHEREAS, items that may be beneficial to the Highway Department may include:

Road Grader	Dozer
Forklift	Trucks
Drum Rollers	Generators
Pumps	Storage Trailer/containers
Water/Fuel tanks	Shop equipment

and

WHEREAS, the items are listed on the website with a purchase price on a first come-first serve basis so it is imperative to be able to move quickly on a desired piece of equipment; now, therefore, be it

RESOLVED, that the Chairman of the Board, Public Works Committee Chairman, Finance Committee Chairman and the County Administrator shall authorize the Highway Superintendent to purchase any useful replacement items as listed above from the Federal Surplus Website prior to a purchase being made, and be it further

RESOLVED, the Superintendent will at the next regular schedule meeting of the Public Works Committee, report any such approved purchases in detail; and be it further

RESOLVED, that items purchased from the Federal Surplus website will be paid for with funds from DM5130.52500 Other Equipment; and be it further

RESOLVED, that any current piece of equipment that is being replaced be declared surplus and sent to the next municipal auction; and be it further

RESOLVED, that the County Treasurer is directed to transfer \$10,000.00 from A387801-Capital Machinery Reserve to the following:

A9901-INTERFUND TRANSFERS:

\$10,000.00 to .59400 Transfer-Road Machinery

DM5130-ROAD MACHINERY:

\$10,000.00 to .52500 Other Equipment

DM9999-OTHER:

\$10,000.00 to .45031 Interfund Transfers

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

RESOLUTION NO. 346-10: AUTHORIZATION TO ENTER AGREEMENT WITH THE TOWN OF ONTARIO FOR ROAD SIDE MOWING

Mr. LeRoy presented the following:

WHEREAS, the Town of Ontario has expressed interest in providing roadside mowing services on county roadways in the Town of Ontario as they have done in the past several years; and

WHEREAS, the roadside mowing in Ontario benefits the town and county; and

WHEREAS, the Town of Ontario does 4 complete mowings on Wayne County roads within the Town of Ontario with a total of 25.5 miles; 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 the Town of Ontario for mowing county road sides located in the town at a rate of \$215.00 per mile for the 2010 season.

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

RESOLUTION NO. 347-10: AUTHORIZATION TO COMPENSATE MR. HORST FOR EASEMENTS REQUIRED FOR THE CREAGER ISLAND BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, the Creager Island Bridge replacement project will require one permanent and one temporary easement from Cleason Horst in order to complete the construction efforts

at the bridge; and

WHEREAS, since the project is being progressed with Federal Funds through the NYSDOT, there are certain criteria that must be followed in regards to the acquisition of any proper; and

WHEREAS, the design consultant has utilized the services of a certified appraisal firm to determine the value of the easements to be \$1900 for the permanent easement and \$100 for the temporary easement; and

WHEREAS, once the payment is made and the easements filed, the NYSDOT will issue a ROW clearance certificate and the project can be advertised for bid; 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 Mr. Horst for payment of \$2000; and be it further

RESOLVED, that the County Treasurer is authorized to make payment in the amount of \$2000 to Mr. Horst from project account D5112 52686 – Creager Island.

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Hammond.

Mr. Lauderdale moved, seconded by Mr. Manktelow, that the resolution title be amended to change the word "REIMBURSE" to "COMPENSATE", as follows:

"RESOLUTION NO. 347-10: AUTHORIZATION TO COMPENSATE MR. HORST FOR EASEMENTS REQUIRED FOR THE CREAGER ISLAND BRIDGE PROJECT"

Upon roll call, the Chairman declared the amended resolution adopted.

RESOLUTION NO. 348-10: AUTHORIZATION TO RESTRUCTURE REPRESENTATIVES TO THE WAYNE COUNTY WATER QUALITY COORDINATING COMMITTEE (WQCC)

Mr. LeRoy presented the following:

WHEREAS, pursuant to Resolution No. 287-92 recognizing the Wayne County Water Quality Coordinating Committee as the Lead Agency for planning and coordinating water quality initiatives in Wayne County;

WHEREAS, this action is recommended by the Wayne County Soil and Water Conservation District; now, therefore, be it

RESOLVED, that the current WQCC representatives be split into two groups: Voting Members and Advisory Members. Voting Members will include: Wayne County Soil and Water Conservation District, Wayne County Planning Department, Cornell Cooperative Extension of Wayne County, Wayne County Board of Supervisors, Wayne County Water and Sewer Authority, Wayne County Highway Department, and one at-large member. Advisory Members will include: NYS Department of Environmental Conservation, NYS Department of Health, NYS Soil and Water Conservation Committee, Wayne County Office of Publicity and Tourism, Wayne County Fishery Advisory Committee, USDA-Natural Resource Conservation Service, USDA-Farm Service Agency, and Wayne County Farm Bureau.

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

RESOLUTION NO. 349-10: RESOLUTION -- SET DATE OF PUBLIC HEARING FOR PROPOSED LOCAL LAW TO APPROVE THE ALLOCATION OF ZONE LANDS FOR A MANUFACTURING PROJECT FOR A REGIONALLY SIGNIFICANT PROJECT AS DETERMINED BY THE ZONE ADMINISTRATIVE BOARD AND THE NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT LAW

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, June 15, 2010 at 7:15 p.m. in the

Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

A local law to approve the allocation of zone lands for Berry/Pliant, a Manufacturing project for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law.

COUNTY OF WAYNE – STATE OF NEW YORK

WHEREAS, Berry/Pliant is expanding their business activities at an expanded and upgraded facility located on Route 31 in the Town of Macedon, NY; and

WHEREAS, this expansion project will add 50 jobs that support their on-site manufacturing retain 610 jobs; and

WHEREAS, the project is not within the Wayne County Empire Zone boundaries; and

WHEREAS, the New York State Department of Economic Development has determined that the proposed project is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, the Zone Administrative Board of the Wayne County Empire Zone has determined that the proposed project is eligible for Empire Zones benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Wayne approves the allocation of zone lands for the proposed expansion of Berry/Pliant manufacturing project for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law, said zone lands to constitute the property described in Appendix A hereto; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby requests that the New York State Commissioner of Economic Development approve this addition to the Wayne County Empire Zone as described in Section 1.

This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

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. Spickerman moved, seconded by Mr. Lauderdale, to amend the resolution by replacing the forth and fifth "WHEREAS" clauses, as follows:

"WHEREAS, pending the New York State Department of Economic Development determination that the proposed project is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, pending the Zone Administrative Board of the Wayne County Empire Zone determination that the proposed project is eligible for Empire Zones benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; now, therefore, be it"

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

RESOLUTION NO. 350-10: AUTHORIZATION TO APPOINT MEMBERS TO THE EMPIRE ZONE ADMINISTRATIVE BOARD

Mr. Spickerman presented the following:

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

WHEREAS, the terms of Christopher Edgar and Joseph DeSanto have expired; now, therefore, be it

RESOLVED, that Christopher Edgar and Joseph DeSanto are hereby reappointed to the Empire Zone Administrative Board for three year terms expiring December 31, 2012; and be it further

RESOLVED, that the positions to be held by educational institution and local business remain vacant until appropriate appointments can be made.

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

RESOLUTION NO. 351-10: AUTHORIZE JOINT MUNICIPAL IMPROVEMENT PROJECT FOR THE TOWN OF ARCADIA, IN PARTNERSHIP WITH THE TOWN OF LYONS AND THE VILLAGE OF NEWARK

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 Town of Arcadia, in partnership with the Town of Lyons and the Village of Newark have requested the County to provide funding from the Joint Municipal Improvement Project for costs associated with the extension of the Erie Canal Trail from Route 88 in the Village of Newark to the western boundary of the Village of Lyons, which will link the central business districts of Newark and Lyons and enhance tourism and visitor revenues for businesses in both communities; and

WHEREAS, these projects are consistent with the intent of the Joint Municipal Improvement Fund with regard to the development of public facilities related to retail business activity; and

WHEREAS, the total project cost is estimated to be \$1,122,513.00 with the Towns of Arcadia and Lyons and the Village of Newark contributing \$14,000 in cash each, the Town of Arcadia contributing \$98,000 of in-kind services for the construction of the trail, with the remaining funding from a NYSDOT Transportation Enhancements Program Grant; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes funding from the Joint Municipal Improvement Project for the Town of Arcadia, in partnership with the Town of Lyons and the Village of Newark, in the amount of one-third the total project cost or \$86,000, whichever is less.

Mr. Spickerman moved, seconded by Groat to amend the forth "WHEREAS" and the "RESOLVED" clauses as follows:

"WHEREAS, the total project cost is estimated to be \$1,122,513.00 with the Towns of Arcadia and Lyons and the Village of Newark contributing \$22,600 in cash each, the Town of Arcadia contributing \$98,000 of in-kind services for the construction of the trail, with the remaining funding from a NYSDOT Transportation Enhancements Program Grant; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes funding from the Joint Municipal Improvement Project for the Town of Arcadia, in partnership with the Town of Lyons and the Village of Newark, in the amount of one-third the total project cost or \$60,000, whichever is less."

Mr. Colacino addressed the Board to request members to support efforts associated with the extension of the Erie Canal Trail; believing that this endeavor will enhance tourism and visitor revenues for businesses in both communities.

There were several discussions that took place to express, both support and opposition for the proposed funding of this project.

Reasons of supporting the completion of the Erie Canal Trail included, this project being a viable part of our County heritage; to enhance business and tourism opportunities; support the green effort to promote health and wellness in our communities, as well as, the importance of connecting Lyons and Newark together by completing this missing piece of the trail puzzle.

Some words of opposition entailed, comments pertaining to the current New York State and Federal budget crisis that everyone is facing and town constituents contacting their Supervisors to vote against this proposed resolution. A comment was added, stressing that even though all Board Members understand the importance of the completion of this trail, one cannot justify possibly not having funds available to plow snow for the upcoming winter season. Not providing an itemized budget to detail a fund outline for the trail provided another reason for opposition.

The Chairman called for a vote for the resolution on the floor.

Upon roll call, all Supervisors voted Aye, except Supervisors Hammond, LeRoy, Plant and Park who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 352-10: RESOLUTION CHANGING THE AUGUST 2010 DATE AND PLACE OF THE BOARD OF SUPERVISORS MEETING AND CHANGING CERTAIN AUGUST COMMITTEE MEETING DATES AND TIMES

Mrs. Collier presented the following:

WHEREAS, the Wayne County Board of Supervisors desires to hold it's August 2010 meeting at the Wayne County Fairgrounds during fair week; and

WHEREAS, the 2010 Wayne County Fair is scheduled for August 9 through August 14; and

WHEREAS, the Chairman of the Board of Supervisors has been advised that there will be no admission charge to fairgoers during the day on August 9, 2010 until 2:00 p.m.; and

WHEREAS, holding the Board meeting during fair week will necessitate altering some Committee meeting dates and the Board meeting date for August; now therefore be it

RESOLVED, that the August Committee Meetings will be held in the usual venue at 26 Church Street, Lyons, NY on the dates and times listed below:

HUMAN SERVICES	Monday, August 2 at 8:30 AM
HEALTH AND MEDICAL	Monday, August 2 at 10:00 AM
ECONOMIC DEVELOPMENT	
AND PLANNING	Monday, August 2 at 2:00 PM
PUBLIC WORKS	Tuesday, August 3 at 8:00 AM
RELOCATION COMMITTEE	Tuesday, August 3 at 1:30 PM
PUBLIC SAFETY	Wednesday, August 4 at 9:00 AM
GOVERNMENT OPERATIONS	Wednesday, August 4 at 2:00 PM
FINANCE COMMITTEE	Friday, August 6 at 9:00 AM

and be it further

RESOLVED, that the August Wayne County Board of Supervisors meeting will be held at Entertainment Alley at the Wayne County Fairgrounds in Palmyra, NY on August 9, 2010 at 10:00 a.m.; and be it further

RESOLVED, that the Board of Supervisors meeting scheduled for Tuesday, August 17, 2010 is hereby cancelled.

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

RESOLUTION NO. 353-10: AUTHORIZATION TO EXECUTE AGREEMENT FOR WAYNE COUNTY BOARD OF ELECTIONS FOR WAYNE COUNTY FAIR BOOTH

Mrs. Collier presented the following:

WHEREAS, the Wayne County Board of Elections has received grant funds for Voter Education Outreach for the purpose to demonstrate the new voting process with the new ImageCast voting machine to voters in Wayne County; and

WHEREAS, the Board of Elections has developed a plan of outreach throughout the County; and

WHEREAS, the Wayne County Fair in Palmyra will provide a significant opportunity to reach out to the public to demonstrate this new voting process; therefore be it

RESOLVED, that the Chairman of the Board is hereby authorized to execute a contract on behalf of the Wayne County Board of Elections with the Union Agricultural Society at Palmyra for booth rental and worker passes at a total cost not to exceed \$360.00:

2 booths	\$330.00
6 worker passes	<u>30.00</u>
Total Cost	\$360.00

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

RESOLUTION NO. 354-10: RESOLUTION AUTHORIZING THE APPOINTMENT OF THE MEMBERS OF THE COMPLIANCE COMMITTEE AS REQUIRED IN THE WAYNE COUNTY COMPLIANCE PLAN

Mrs. Collier presented the following:

WHEREAS, Resolution 96-10 established a Compliance Policy and Plan for Wayne County; and

WHEREAS, the Compliance Plan requires a Compliance Committee to maintain the Compliance Plan, report Compliance issues to the Compliance Officer, direct annual audit activities of the program, identify individual department risk standards, and to advise and assist the Compliance Officer with implementation of the Compliance Plan; and

WHEREAS, the Compliance Plan indicates that the Compliance Officer shall recommend members of the Compliance Committee and that the Chairman of the Board of Supervisors shall designate a Board of Supervisors Representative; and

WHEREAS, the Chairman of the Board of Supervisors has designated Supervisor Bender as the Board Representative; and

WHEREAS, the Compliance Officer has recommended the following individuals as representatives of those departments required to be part of the Compliance Committee be appointed as members of the Compliance Committee: James Haitz, Margaret Haroff, Diane Devlin, Penny Shockley; and

WHEREAS, the Compliance Officer, in addition to the required representatives has recommended Human Resources Director Charles Dye and Superintendent of Highways Kevin Rooney be appointed to the committee; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby affirms that the Compliance Committee shall be comprised of the following individuals: Supervisor Jolene Bender, James Haitz, Margaret Haroff, Diane Devlin, Penny Shockley, Charles Dye, and Kevin Rooney.

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

RESOLUTION NO. 355-10: AUTHORIZATION TO REVISE THE WAYNE COUNTY WORKPLACE VIOLENCE PREVENTION POLICY

Mrs. Collier presented the following:

WHEREAS, the Wayne County Board of Supervisors adopted resolution 302-07 on April 17, 2007 establishing the Workplace Violence Prevention Policy, in accordance with New York State Labor Law section 27-b; and

WHEREAS, final rules issued by the NYS Department of Labor require that the existing

policy be revised to include a role for "established employee representatives"; and

WHEREAS, the County has solicited additional comments from the various County employee unions and has incorporated clarifying suggestions from them into the revised plan; now, therefore, be it

RESOLVED that the attached revised policy document dated May 19, 2010 is hereby adopted by the Wayne County Board of Supervisors and copy of said policy is hereby on file with the Clerk of the Board.

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

RESOLUTION NO. 356-10: AUTHORIZE TO AMEND 2010 BUDGET TO RECOGNIZE RECEIPT OF TWO HOFFMAN GRANTS IN JANUARY 2010

Mrs. Collier presented the following:

WHEREAS, funds have been received in January 2010 by Wayne County from a Hoffman Foundation Grant in the amount of \$2,000 (\$1,000 + \$1,000) to provide funding for necessary essay preservation projects; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 Budget to reflect the necessary changes to the following accounts and line items in Historians Budget A7510:

A7510-COUNTY HISTORIAN:

Revenue: \$2,000.00 to .42090 Hoffman Foundation

Expense: \$2,000.00 to .54484 Hoffman Foundation

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

RESOLUTION NO. 357-10: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO ABOLISH A STAFF SOCIAL WORKER POSITION AND TO CREATE A COMMUNITY MENTAL HEALTH PROFESSIONAL POSITION, AND AMEND THE 2010 BUDGET

Ms. Park presented the following:

WHEREAS, Resolution No. 212-10 authorized the Mental Health Department to create several new positions in accordance with the 2010 Budget; and

WHEREAS, one of these previously authorized positions included a Staff Social Worker position; and

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

RESOLVED, that the Mental Health Department is authorized to abolish one Staff Social Worker position, previously authorized to be created in Resolution No. 212-10, and to create one Community Mental Health Professional position; and be it further

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

A4300-BEHAVIORAL HEALTH:

\$50,818 from .51322.M7220 Staff Social Worker

\$50,818 to .51325.M7220 Community Mental Health Professional

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

RESOLUTION NO. 358-10: AUTHORIZING TO PURCHASE EQUIPMENT FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the 2010 budget reflects the lease of the equipment for the Telemedicine Program at the Wayne County Nursing Home; and
 WHEREAS, it has now been determined that to purchase the equipment rather than lease it is more cost effective; now, therefore, be it

RESOLVED, that the following equipment needed to establish a Telemedicine Program at the Wayne County Nursing Home be authorized for purchase:

Item#	Description	Requisition #	Qty	Unit Price	Total
	TANDBERG Flat Panel Display				
	Pkg incl 52" 1080P LCD Display w/wall mount		1	4450.00	4450.00
	TANDBERG Edge 95 MXP				
	w/TANDBERG Precision HD Camera, NPP and MS		1	8550.00	8550.00
	Direct Response Maintenance Package-Edge95,				
	1 yr replacement parts, telephone support		1	790.00	790.00
	AMD 2500 General Exam Camera		1	5490.00	5490.00
	AMD-2505 Disposable Tip covers/2500		1	50.00	50.00
	AMD-2525 Tripod		1	65.00	65.00
				TOTAL	\$19,395.00

and be it further

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

E6000-NH COMBINED:

\$19,395.00 from .54938-E7200 Medical Equipment Rental

\$19,395.00 to .52000-E8410 Equipment & Other Cap Outlay

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

RESOLUTION NO. 359-10: AUTHORIZE AMENDMENT OF CURRENT AGREEMENT FOR HOSPICE CARE SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the County of Wayne currently has an agreement with Lifetime Care for the provision of Hospice services at no cost to the nursing home; and

WHEREAS, Lifetime Care revised the agreement effective April 2, 2010 to ensure it complies with all Federal and State requirements; and

WHEREAS, the revised agreement has been reviewed and recommended; now, therefore, be it

RESOLVED, the Chairman of the Wayne County Board of Supervisors is authorized to amend the agreement with Lifetime Care for the provision of Hospice Care services at the Wayne County Nursing Home effective April 2, 2010 subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 360-10: AUTHORIZING TO PURCHASE EQUIPMENT FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the budgeted items consisting of two 4-wheeled walkers; one Platform Walker, and one Drop Arm Commode are no longer required; and

WHEREAS, it has been determined that the walkers and commode totaling \$1,500.00 will not be purchased; and

WHEREAS, more office furniture is needed in the Rehab area;

WHEREAS, the cost of the office furniture is \$1,615.16; and

WHEREAS, this item was not previously included in the 2010 equipment addendum; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home is authorized to purchase office equipment and will not purchase the two 4-wheeled walkers; one Platform Walker, and one Drop Arm Commode:

Description	Qty	Unit Price	Total
<u>Office Equipment</u>			
- 2 workstations; 2 shelves; bridge			
Caitlin Office Interior NYS contract#PC63361	1	960.15	960.15
<u>Filing Cabinet</u>			
Caitlin Office Interior NYS contract#PC63361	1	655.01	655.01
Shipping and Handling			<u>00.00</u>
Total			1,615.16

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

RESOLUTION NO. 361-10: AUTHORIZING THE CHAIRMAN OF THE WAYNE COUNTY BOARD OF SUPERVISORS TO AMEND THE CURRENT AGREEMENT WITH STERICYCLE

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home currently contracts with Stericycle for the period of January 1, 2010 – December 31, 2010 at the economy fee of \$242 a month based on thirteen (13) stops a year and any additional stops at \$150; and

WHEREAS, the medical waste container pickups have increased over the year by 36 which is over the contracted amount of 35 total medical waste containers per year; and

WHEREAS, Resolution No. 666-09 must be amended to reflect a new monthly fee of \$391 per month based on 13 stops per year for a maximum of 80 medical waste containers per year, and \$35 charge for each additional containers; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to amend the agreement with Stericycle effective April 1, 2010 at a fee of \$391 month based on 13 stops per year for a maximum of 80 medical waste containers per year, and \$35 charge for each additional containers subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 362-10: ACCEPTING BIDS FOR PURCHASE AND INSTALLATION OF CEILING LIFTS FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, by resolution # 211-10 the Board of Supervisors authorized the advertisement for the purchase and installation of (8) ceiling lifts for the Wayne County Nursing Home; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised the bid for the ceiling lifts and the bids were opened on Friday, April 30, 2010 at 2:00p.m. and the following bids were received; now, therefore, be it

RESOLVED, that the bid submitted by Access Solutions of Cheektowaga, NY for the bid price of \$55,453.00 for the purchase and installation of (8) ceiling lifts, in accordance with the specifications is hereby accepted; and be it further

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

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

RESOLUTION NO. 363-10: AUTHORIZATION TO RENT BILLBOARD SPACE FROM LAMAR ADVERTISING FOR CHILD PASSENGER SAFETY WEEK AND THE ANNUAL SEAT CHECK EVENT

Ms. Park presented the following:

WHEREAS, there is money budgeted for the rental of space for the advertising of educational messages regarding child passenger safety; and

WHEREAS, the estimated costs include rental of 3 billboard spaces for a minimum of 30 days at \$600.00 each and poster production charges of \$150.00 each; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to purchase billboard space and posters from Lamar Advertising for the rental of 3 billboard spaces for a minimum of 30 days at \$600.00 each and poster production charges of \$150.00 each.

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

RESOLUTION NO. 364-10: AUTHORIZATION TO DECLARE EQUIPMENT AS SURPLUS FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has had a printer/duplexer since 2005 and for which is no longer repairable; and

WHEREAS, WCPH wishes to declare the HP Laserjet 2430DTN printer/duplexer, SN# SCNGKC74667, as surplus equipment; now, therefore, be it

RESOLVED, that the Director of WCPH is hereby authorized to declare the HP Laserjet 2430DTN printer/duplexer, SN# SCNGKC74667, as equipment surplus; and be it further

RESOLVED, the Director of Building and Grounds is hereby authorized to dispose of this equipment as per policy and procedure.

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

RESOLUTION NO. 365-10: AUTHORIZATION TO CONTRACT WITH S²AY RURAL HEALTH NETWORK, INC. FOR AN EARLY INTERVENTION QUALITY IMPROVEMENT/QUALITY ASSURANCE INITIATIVE FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has received American Recovery and Reinvestment Act (ARRA) for Early Intervention Administration; and

WHEREAS, WCPH has identified a need to perform a point in time quality improvement/quality assurance check on Early Intervention charts and to obtain further educational training in changes in Early intervention regulations; and

WHEREAS, WCPH has identified the S2AY Rural Health Network Inc. has the capability to perform such needs; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute a contract with the S²AY Rural Health Network, Inc. on behalf of Wayne County Public Health, to perform Early Intervention quality improvement / quality assurance activities and educational trainings, for the period of May 1, 2010 to September 30, 2011, for a total cost of \$10,000, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 366-10: AUTHORIZATION TO AMEND RESOLUTION NO. 259-09 TO EXECUTE CONTRACT WITH PROVIDERS FOR EARLY INTERVENTION SERVICES

Ms. Park presented the following:

WHEREAS, the County is required to contract with approved providers of Early Intervention services or programs; and

WHEREAS, Thrive By 5 has received authorization from the New York State Department of Health (NYSDOH) to provide home based services, special education services, core and supplemental evaluations, speech therapy services, occupational therapy services, and physical therapy services to Early Intervention clients and Wayne County Public Health wishes to contract with Thrive By 5 for these services; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Thrive By 5, 1951 Caleb Ave., Syracuse, NY 13206, subject to the approval of the County Attorney as to form and content, at the per session rate established by NYSDOH, for and amount not to exceed \$26,880.00, for the period of May 1, 2010 till June 30, 2011, to provide home based services, special education services, core and supplemental evaluations, speech therapy services, occupational therapy services, and physical therapy services to Early Intervention clients.

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

RESOLUTION NO. 367-10: AUTHORIZATION TO AMEND RESOLUTION NO. 257-09 AUTHORIZING CONTRACT WITH PROVIDER OF RELATED SERVICES FOR PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS

Ms. Park presented the following:

WHEREAS, the County must contract for the provision of related services for preschool aged children with handicapping conditions, pursuant to Section 4410 of the Education Law; and

WHEREAS, Thrive By 5 has received authorization from the New York State Department of Health (NYSDOH) to provide speech therapy services, occupational therapy services, physical therapy services and parent counsel/training services and Wayne County Public Health (WCPH) wishes to contract with Thrive By 5 for these services; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute a contract, subject to the approval of the County Attorney as to form and content, with Thrive By 5, 1951 Caleb Avenue, Syracuse, NY 13206, for speech therapy, occupational therapy, physical therapy, and parent counsel/training at a rate of \$56/.5hr 2009-2010; \$57/.5hr 2010-2011, for pre-school children with handicapping conditions for the period of May 1, 2010 till June 30, 2011 in accordance with rates approved by the Health and Medical Services Committee of the Board of Supervisors.

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

RESOLUTION NO. 368-10: AUTHORIZATION TO CONTRACT WITH WAYNE FINGER LAKES BOCES FOR TRANSPORTATION

Ms. Park presented the following:

WHEREAS, the County is required to provide for transportation for children in the Early Intervention and the Pre-K programs to the Wayne County Chapter of NYS ARC facility located in the village of Newark and Red Creek Central School for the 2010 - 2012 school years; and

WHEREAS, the transportation rate will be \$33.00 per child per day; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with Wayne-Finger Lakes BOCES, subject to the approval of the County Attorney as to content and form, for the period 7/1/10 to 6/30/2012, not to exceed \$33/per child per day.

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

RESOLUTION NO. 369-10: AUTHORIZATION TO PURCHASE A ONE YEAR ADVERTISING PACKAGE FROM ROSE BOWL LANES FOR THE STRIKE OUT CANCER CAMPAIGN FOR THE CANCER SERVICES PROGRAM OF WAYNE COUNTY

Ms. Park presented the following:

WHEREAS, there is money budgeted for the rental of space for the advertising for the screening promotion program; and

WHEREAS, using local pro-bowler Doug Kent the proprietor of Rose Bowl Lanes the costs include advertisements on back wall, side wall, next to scoring monitors and of the

sweeps; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to purchase the advertisement package from Rose Bowl Lanes for the advertising for the screening promotion program on back wall, side wall, next to scoring monitors and of the sweeps for an amount not to exceed \$1,500.00 with said advertising being shown for the period August 1, 2010 to July 31, 2011.

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

RESOLUTION NO. 370-10: AUTHORIZATION TO RENT BILLBOARD SPACE FROM LAMAR ADVERTISING FOR THE STRIKE OUT CANCER CAMPAIGN FOR THE CANCER SERVICES PROGRAM OF WAYNE COUNTY

Ms. Park presented the following:

WHEREAS, there is money budgeted for the rental of space for the advertising for the screening promotion program; and

WHEREAS, Public Health will be using local pro-bowler Doug Kent to encourage Wayne County residents to get cancer screenings; and

WHEREAS, the estimated costs include rental of 7 billboard spaces for a minimum of 30 days at \$600 each and poster production charges of \$125 each: now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to purchase billboard space and posters from Lamar Advertising for the screening promotion program to include the rental of 7 billboard spaces for a minimum of 30 days at \$600 each and poster production charges of \$125 each.

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

RESOLUTION NO. 371-10: AUTHORIZATION TO ENTER INTO CONTRACTS WITH WAYNE COUNTY SCHOOL DISTRICTS AND ABCD CENTERS FOR ASSISTANCE IN H1N1 CLINICS

Ms. Park presented the following:

WHEREAS, the Wayne County Public Health received assistance in the implementation of H1N1 services from school districts and ABCD centers that hosted H1N1clinics; and

WHEREAS, such services were as follows:

- Busing of students from schools within there district
- Organizing the distribution of clinic forms
- Organizing the attendance of consented students to the clinic
- Automated phone reminder notification to the homes of the student population
- Allowed schools to be open to the public for vaccinations of non-students
- Provided staff to assist with the flow of the clinic
- Provided space to conduct the H1N1 clinic

WHEREAS, the state has acknowledged a flat rate is an allowable expense through the H1N1 grant funding to pay for such services; and

WHEREAS, it is a requirement that a contract is executed with each provider for the period of Oct. 1, 2009 – March 31, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute contracts, upon review and approval as to form and content by the County Attorney, for the period of October 1, 2009 to March 31, 2010 with the following:

Lyons Central School District	\$2,000
Sodus Central School District	\$2,000
North Rose-Wolcott Central School district	\$2,000
Red Creek Central School District	\$2,000
Gananda Central School District	\$2,000

Williamson Central School District	\$2,000	
Clyde-Savannah Central School District	\$2,000	
Newark Central School District	\$2,000	
Palmyra-Macedon Central School District	\$2,000	
Marion Central School District		\$2,000
Wayne Central School District	\$2,000	
Lake Ontario ABCD	\$1,000	
Red Creek ABCD	\$1,000	
St. Michaels	\$1,000	

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

RESOLUTION NO. 372-10: AUTHORIZATION TO AMEND RES. 506-09 TO CONTRACT WITH WAYNE FINGER LAKES BOCES FOR TRANSPORTATION

Ms. Park presented the following:

WHEREAS, the County is required to provide transportation for children in the Pre-K program and currently has a contract with Wayne Finger Lakes BOCES to provide transportation; and

WHEREAS, the Lyons School District has a child that required aide assistance while on the bus due to safety issues; and

WHEREAS, this will require a daily cost modification of \$27.13 per day, or a total cost of \$3201.34 for the period of 12/18/2009 to 6/24/10; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute an amendment to the contract with the Wayne Finger Lakes BOCES to cover the cost of aide assistance for a total cost not to exceed \$3201.34 for the period of 12/28/09 to 6/24/10, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 373-10: AUTHORIZATION TO CONTRACT WITH MCBEE ASSOCIATES TO PROVIDE MEDICARE REVENUE RECOVERY SERVICES FOR THE CERTIFIED HOME HEALTH AGENCY

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) wishes to obtain services from McBee Associates to provide Medicare Revenue Recovery Services for episodes ending October 1, 2008 through December 31, 2009; and

WHEREAS, McBee Associates will provide the following services:

- Review the correct payment of all paid Medicare claims submitted by the Certified Home Health Agency (CHHA) during 10/1/08 to 12/31/09
- Recommend both positive and negative adjustments to Medicare claims
- Identify and adjust approved Medicare claims
- Provide detailed diagnostics of WCPH departments billing
- Recommend process improvements
- Identify any unpaid claims with episodes ending 10/1/08 to 12/31/09; these claims will be billed to Medicare by McBee Associates and tracked till final payment is received

WHEREAS, the fee for McBee Associates services for this project is a contingency fee of 27.3% of additional

cash paid to the CHHA as a result of McBee Associates' review and rebilling of episodes: now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the Medicare Revenue Recovery Proposal with McBee Associates, subject to the approval of the County Attorney as to form and content, which authorizes McBee Associates to review the correct payment of all paid Medicare claims submitted by the Certified Home Health Agency (CHHA) during 10/1/08 to 12/31/09; recommend both positive and negative adjustments to

Medicare claims; identify and adjust approved Medicare claims; provide detailed diagnostics of WCPH departments billing; recommend process improvements; identify any unpaid claims with episodes ending 10/1/08 to 12/31/09, these claims will be billed to Medicare by McBee Associates and tracked till final payment is received. McBee Associates will receive a total of 27.3% of the revenue collected from the unpaid Medicare claims; and be it further

RESOLVED, that the Wayne County Treasurer make the following transfers:

AA4019-WAYNE COMMUNITY NURSING CARE:

\$3,000.00 from .54452 Physical Therapy

\$3,000.00 to .54500 Fees for Services Non Employees

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

RESOLUTION NO. 374-10: AUTHORIZATION TO RENEW AGREEMENT WITH STERICYCLE, INC.

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has need to dispose of medical waste, such as needles, syringes, and medications every month; and

WHEREAS, WCPH has received a renewal notice from Stericycle, Inc. to provide waste disposal service and WCPH wishes to continue this service; and

WHEREAS, Stericycle, Inc. will pick up and dispose of medical waste monthly for a cost of \$287.00 per month for the period of May 1, 2010 to April 30, 2011; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the Steri-Safe Service Agreement with Stericycle, Inc. upon review approval from the County Attorney as to form and content, at a cost not to exceed \$287.00 per month, for monthly pick up and disposal of medical waste that is incurred at the WCPH department for the period of May 1, 2010 to April 30, 2011.

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

RESOLUTION NO. 375-10: AUTHORIZATION TO ADVERTISE FOR BIDS FOR TRANSPORTATION OF PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS

Ms. Park presented the following:

WHEREAS, the County must supply transportation of preschool children with handicapping conditions pursuant to Section 4410 of the Education Law and the New York State Department of Health (NYSDOH) regulations for Early Intervention; and

WHEREAS, the County must advertise to receive bids for the transportation of preschool age children during the period of 9/1/10 to 8/31/12; now, therefore, be it

RESOLVED that the Clerk of the Board of Supervisors is hereby authorized to advertise for bids for the transportation of preschool age children during the period of 9/1/10 to 8/31/12, in accordance with the specifications approved by the County Attorney, and that the Clerk is hereby authorized and directed to publicly open bids at the time specified in the advertisement for the bidders, and then present a record of the bids received at the next meeting of the Board of Supervisors following the bid opening.

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

RESOLUTION NO. 376-10: AUTHORIZATION TO AMEND RESOLUTION NO. 521-09 TO INCLUDE A NEW TRANSPORTATION ROUTE FOR CHILDREN OF PRESCHOOL AGE WITH PHYSICALLY HANDICAPPING CONDITIONS

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has a contract with Arcadia Transportation to provide transportation for preschool age children with handicapping conditions; and

WHEREAS, WCPH has obtained a new child who has recently moved into Wayne

County and the parents of this child would like to continue with the same provider rendered by the previous County; and

WHEREAS, the County is required to provide service pursuant to Public Health Law 2500-a, 2500-e, Article 25, Title II-A, Sec 69-4.17; and

WHEREAS, a new route has been created with Arcadia Transport at a cost \$245.00 per day with a \$15.00 per day fuel charge starting on March 8, 2010 through June 24, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to amend Resolution No. 521-09 and create a new route with Arcadia Transport at a cost of \$245.00 per day with a fuel cost of \$15.00 per day from March 8, 2010 to June 24, 2010, subject to the approval of the County Attorney as to form and content.

Ms. Park moved, seconded by Mr. Plant, to amend the resolution by replacing the third "RESOLVED" clause as follows:

"WHEREAS, the County is required to provide transportation pursuant to Public Health Law Section 2559a and Section 10 NYCRR 69-419; and"

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

RESOLUTION NO. 377-10: AUTHORIZATION TO ABOLISH A PART-TIME RN POSITION/CREATE A FULL-TIME CASEWORKER POSITION AND ABOLISH A FULL-TIME SENIOR CASEWORKER POSITION/CREATE A PART-TIME SENIOR CASEWORKER POSITION

Mrs. Crane presented the following:

WHEREAS, the Department of Aging and Youth was awarded a three-year Resident Opportunities and Self-Sufficiency (ROSS) grant to provide part-time case management services for disabled and elderly individuals who reside at the Newark Housing Authority's 200 East apartment complex (Newark Highrise); and

WHEREAS, the current case manager has informed our department that she plans to retire effective April 30, 2010 and the department needs to fill this position to be in compliance with the terms of the grant; and

WHEREAS, the terms of the grant require the case manager to hold a bachelor's degree in human services or a related field; and

WHEREAS, the current case manager holds a bachelor's degree in social work and is also a registered nurse; and

WHEREAS, the grantor allowed the position to be funded at the higher RN rate of pay; and

WHEREAS, a current Department employee who is not a registered nurse has been selected to fill this position; and

WHEREAS, the Department currently has a full-time Senior Caseworker position vacant; and

WHEREAS, in addition to other employee and program supervision duties, the Senior Caseworker also supervises the Department's two caseworkers as required by New York State Office for the Aging regulations; and

WHEREAS, due to increasing program participation, the Senior Caseworker also now carries a caseload of approximately fifteen cases; and

WHEREAS, the timing of these vacancies has allowed the Department to re-evaluate its staffing needs and to reorganize staffing to meet the needs of the department more closely; and

WHEREAS, given the uncertainty of the Department's federal, state, and local funding sources, the Department wishes to be proactive in identifying cost containment measures; now, therefore, be it

RESOLVED, that authorization is given to abolish one part-time RN position (job rate \$27.19, pay grade 33) and create a full-time caseworker position (job rate of \$21.99 pay grade 29); and

RESOLVED, that the position is contingent on grant funding and will be eliminated if grant funding is not available; and

RESOLVED, that authorization is given to abolish a full-time Senior Caseworker position (job rate \$22.81, pay grade 30) and create a part-time Senior Caseworker position (hire rate \$20.37, pay grade 30); and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following modifications to the following accounts.

A6772-Area Agency on Aging:

\$13,680.00 from .51283 RN Part time

\$ 8,804.00 from 51362 Sr. Caseworker

\$22,484.00 to .51253 Caseworker

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

RESOLUTION NO. 378-10: AUTHORIZATION TO CONTRACT WITH LANGUAGE LINE INTERPRETER SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH

Mrs. Crane presented the following:

WHEREAS, the New York State Office for the Aging requires local Area Agencies on Aging to assure that they are able to provide services to older individuals with limited English proficiency;

WHEREAS, Language Line Services is authorized by New York State to provide on-demand interpretive services; and

WHEREAS, in order to receive these services, the Department must sign a State of New York Service Agreement Contract;

WHEREAS, the rate is based on language and the charge per minute ranges from \$.90 to \$.99; and

WHEREAS, the Wayne County Department of Aging and Youth will be billed only for services used; therefore be it

RESOLVED, that the Chairman of the Board of Supervisors to is hereby authorized and directed to sign a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Language Line Services State of New York, for the period of May 18, 2010 through August 9, 2012, agreeing for the Wayne County Department of Aging and Youth to pay for the on demand interpretive service ranging from \$.90 to \$.99 per minute.

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

RESOLUTION NO. 379-10: AUTHORIZATION TO REMOVE AND APPOINT YOUTH BOARD MEMBERS

Mrs. Crane presented the following:

WHEREAS, the New York State Office for Children and Family Services requires each Youth Bureau to have an advisory Youth Board; and

WHEREAS, Norine Orsini, town of Williamson representative requests to be removed as a member of the Wayne County Youth Board due to change in circumstances; and

WHEREAS, William Campbell, Director of the Palmyra Community Center has agreed to represent the Town of Palmyra; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby appoints William Campbell to the Wayne County Youth Board for a term of three years, ending May 2013 and removes Norine Orsini from the Youth Board.

William S. Campbell – Director

Palmyra Community Center
424 Stafford St. PO Box 404
Palmyra, NY 14522

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

RESOLUTION NO. 380-10: AUTHORIZATION TO EXECUTE CONTRACT WITH CATHOLIC CHARITIES FOR EARLY/CRISIS INTERVENTION SERVICES

Mrs. Crane presented the following:

WHEREAS, one of the largest expenses in the Wayne County Department of Social Services budget is for the placement of children outside their own homes; and

WHEREAS, the earlier these children and families can be identified and provided services, the less likely it is that such placement occurs; and

WHEREAS, schools and pre-schools can identify these children/families at a 90%+ accuracy rate; and

WHEREAS, Catholic Charities has an effective track record compiled in identifying and providing services to such youth/families; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract on behalf of the Wayne County Department of Social Services, subject to the County Attorney's review as to form and content, with Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities of Wayne County for the provision of Early/Crisis Intervention Services to TANF eligible families during the 7/1/10-6/30/11 timeframe at a cost not to exceed \$59,165.

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

RESOLUTION NO. 381-10: AUTHORIZATION TO EXECUTE CONTRACT WITH ARC FOR THE PROVISION OF INTENSIVE CASE MANAGEMENT FOR THE WORKING IMPAIRED

Mrs. Crane presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) needs to meet Federal Participation Rates or be subject to potential fiscal penalties; and

WHEREAS, an increasing number of Public Assistance (PA) clients have one or more working impairments; and

WHEREAS, the Wayne County Association of Retarded Citizens (ARC) has been effective in the past at working with this population; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a contract with Wayne ARC to provide Intensive Case Management for the Working Impaired for the timeframe 7/1/10-6/30/11 at a cost not to exceed \$61,250 and subject to review by the County Attorney as to form and content.

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

RESOLUTION NO. 382-10: AUTHORIZATION TO EXECUTE AGREEMENT WITH WAYNE COUNTY WORKFORCE DEVELOPMENT FOR THE PROVISION OF A SUMMER YOUTH EMPLOYMENT PROGRAM

Mrs. Crane presented the following:

WHEREAS, monies have been made available to Wayne County Department of Social Services (DSS) to support a summer youth employment program in Wayne County; and

WHEREAS, Workforce Development has a successful track record of providing summer youth employment programming including this past summer; and

WHEREAS, Workforce Development has both the capability and the interest in providing summer youth employment programming during the summer 2010 timeframe; now, therefore, be it

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

Services is hereby authorized to enter into an agreement with Wayne County Workforce Development contingent upon inclusion in the NYS Budget, for the provision of a summer youth employment program at an amount not to exceed the amount of \$70,000, provided by NYS Budget, for the timeframe 5/1/10-9/30/10, subject to the review and approval of the County Attorney.

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

RESOLUTION NO. 383-10: AUTHORIZATION TO CONTRACT WITH VICTIM RESOURCE CENTER OF THE FINGER LAKES, INC. FOR DOMESTIC VIOLENCE SERVICES

Mrs. Crane presented the following:

WHEREAS, Services for victims of Domestic Violence and their families/children are an important component of reducing child abuse; and

WHEREAS, Victim Resource Center has worked in collaboration with Wayne DSS and Wayne CAP to provide services which ameliorate the effects of family violence; and

WHEREAS, this partnership has been effective with the families served; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute a contract on behalf of the County of Wayne and the Wayne County Department of Social Services, subject to the County Attorney's review as to form and content, with the Victim Resource Center of the Finger Lakes, Inc. for Domestic Violence Services at a cost not to exceed \$21,250 for the time frame 7/1/10-6/30/11.

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

RESOLUTION NO. 384-10: AUTHORIZE CONTRACT WITH WAYNE COUNTY ASSOCIATION OF RETARDED CITIZENS FOR CHILD ONLY SERVICES

Mrs. Crane presented the following:

WHEREAS, it is a high priority to break the cycle of poverty and dependence on government cash subsidies, and

WHEREAS, this program has been successful at moving children/youth into employment and military service; and

WHEREAS, this service has been recognized State-wide for its accomplishments; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a contract with Wayne ARC, subject to the County Attorney's review, for Child-Only case services in an amount not to exceed \$75,000 for the time frame 7/1/10-6/30/11; and be it further

RESOLVED, that this contract is funded 100% with federal monies through the TANF flexible fund.

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

RESOLUTION NO. 385-10: AUTHORIZE CONTRACT FOR WAGE SUBSIDY PROGRAM WITH WAYNE ASSOCIATION FOR RETARDED CITIZENS

Mrs. Crane presented the following:

WHEREAS, New York State has been notified that it needs to meet Federal Participation Rates; and

WHEREAS, New York State has notified counties that they may face fiscal penalties if the Federal Participation Rates are not met; and

WHEREAS, Wayne DSS is desirous of implementing that which is within its power to raise its participation rates if possible; and

WHEREAS, Monies are available through the Flexible Fund for Wage Subsidies which would allow for placements and/or training of folks which will raise participation rates; now,

therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into an agreement with Wayne ARC for a Wage Subsidy Program in an amount not to exceed \$100,000, subject to the review of the County Attorney, for the timeframe 7/1/10-6/30/11.

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

RESOLUTION NO. 386-10: AUTHORIZE CONTRACT WITH WAYNE COUNTY ACTION PROGRAM FOR FAMILY VIOLENCE PARENT EDUCATION SERVICES

Mrs. Crane presented the following:

WHEREAS, services for families with violence issues are an important component in reducing child abuse; and

WHEREAS, the Wayne County Action program has worked in collaboration with Wayne DSS and the Victim Resource Center to provide services which ameliorate the effects of family violence; and

WHEREAS, this partnership has been effective with the families served; therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute a contract on behalf of the County of Wayne and the Wayne County Department of Social Services, subject to the County Attorney's review as to form and content, with the Wayne County Action Program for Family Violence Parent Education Services to a cost not to exceed \$18,000 for the time frame 7/1/10-6/30/11; and be it further

RESOLVED, that this contract is funded 100% with federal monies through the TANF flexible fund.

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

RESOLUTION NO. 387-10: AUTHORIZE AGREEMENT BETWEEN WAYNE DSS AND WORKFORCE DEVELOPMENT FOR EMPLOYMENT RELATED SERVICES

Mrs. Crane presented the following:

WHEREAS, the Workforce Development office has provided services to the Wayne County Department of Social Services (DSS) to help individuals secure training, employment and job-seeking services; and

WHEREAS, Wayne DSS is desirous of expanding the scope of the services provided by Workforce Development to include providing employment orientation, assessment, worksite developing and monitoring and other employment related duties; and

WHEREAS, this expansion is designed to effect higher participation and employment rates in the target population; and

WHEREAS, Workforce Development will need additional resources and financial support to accomplish this full gamut of tasks added to those services it already provides; therefore be it

RESOLVED, that the Commissioner of Social Services and the Director of Workforce Development are hereby authorized to enter into an agreement, subject to the County Attorney's review as to form and content, for the provision of employment-related services at a cost not to exceed \$500,000 during the timeframe 7/1/10-6/30/11.

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

RESOLUTION NO. 388-10: APPROVAL OF FINGER LAKES WORKFORCE INVESTMENT BOARD APPOINTMENTS

Mrs. Crane presented the following:

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

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

WHEREAS, the Executive Director has solicited nominations in accordance with the Law; and

WHEREAS, the Finger Lakes Workforce Investment Board By-Laws state voting members shall be appointed for terms of three (3) years, and that terms shall be staggered; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors does hereby appoint the following representatives to the Finger Lakes Workforce Investment Board to fill a three (3) year term from:

Reappointments:

7/1/10 – 6/30/13

Peg Churchill – Economic Development

Nicolette Leathersich- VESID

Robert Leiby – K – 12 School Superintendent

Michael Manikowski – Economic Dev.

Clark Culver – Union

Orlando Rivera–Migrant & Seasonal Farm workers - Pathstone

Dr. Barbara Risser – FLCC

Colleen Combs – Union

Jocelyn VanGelder – NYS DOL

To Fill Currently Vacant VA membership, 5/1/10 – 6/30/13

Kevin O'Hagan - Veteran

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

RULE 15 RESOLUTIONS

RESOLUTION NO. 389-10: AUTHORIZATION TO SURPLUS ONE 225 MERCURY OUTBOARD BOAT MOTOR

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has declared surplus a 2001 225 Mercury outboard boat motor serial number 06350046 that was used on the 22' Zodiac since April 23 2001; and

WHEREAS, the above stated outboard motor have been in-service since 2001 and was removed from service July 2009, is no longer in operating order, and the cost to repair is more than the value of the motor; and WHEREAS, the Wayne County Sheriff's Office is requesting to surplus the aforesaid outboard motors, and remove it from its inventory; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to surplus the aforesaid outboard motor and remove it from the inventory; and be it further

RESOLVED, that the Wayne County Treasurer is hereby directed to place any proceeds from the sale of the aforesaid outboard motor into the county general fund account.

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

RESOLUTION NO. 390-10: AUTHORIZATION TO UTILIZE EMD TRAINING SERVICES

Mr. Plant presented the following:

WHEREAS, Wayne County 911, in 2009, purchased emergency medical dispatching (EMD) software, as well as an automatic interface to the computer aided dispatch software that has been in use locally at 911 for many years; and

WHEREAS, the implementation of said EMD software is intended to result in more consistent information gathering, instructions and assistance for the public, and dispatching;

and

WHEREAS, the dispatchers and supervisors at Wayne County 911 have been working for the past few months toward the implementation of the software based EMD system; and

WHEREAS, it has been found there would be significant benefit to having additional instruction for the dispatchers in EMD procedures from an instructor trained and certified by the National Academies of Emergency Dispatch, the organization that developed the EMD system; and

WHEREAS, Mr. Richard Rusho, an employee of the City of Rochester Office of Emergency Communications, has submitted a proposal to Wayne County 911, as an independent contractor, to provide refresher instruction in emergency medical dispatching for the dispatchers and supervisors of Wayne County 911; now, therefore, be it

RESOLVED, that the 911 Coordinator shall be authorized to engage the training services of Mr. Richard Rusho, of 237 Benton Street, Rochester, New York, to provide 16 hours of relevant refresher training in the Priority Dispatch EMD system, at a cost not to exceed \$500.00, as per Mr. Rusho's proposal letter dated May 4, 2010.

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

Mr. Groat reminded everyone that the school budgets were up for vote today and to be sure to go to the polls.

ADJOURNMENT:

The Chairman announced that the next meeting of the Board will be an evening session, scheduled for Tuesday, June 15, 2010 at 7:00 p.m.

Mr. Colacino moved, seconded by Ms. Park, that the board adjourn at 11:51 a.m. Carried.

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