

13th Day  
Tuesday, August 18, 2009  
9:00 a.m.

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

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

Upon roll call, all Supervisors were present.

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

**APPROVAL OF MINUTES:**

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

**SUMMARY OF CLAIMS BY COMMITTEE:**

Committee No. 1	Finance	
A13254	Treasurer	414.61
A13554	Assessment - Real Property Tax	518.22
A16804	Information Technology	15,151.16
A19104	Unallocated Insurance	662.40
A19304	Judgments & Claims	11,945.40
A24904	Community College	52,288.57
H19332	Building Renovation Project	55,452.25
H19392	Route 31 Complex	<u>2,001.56</u>
		138,434.17
Committee No. 2	Public Safety	
A11654	District Attorney	1,113.13
A11704	Public Defender	10,386.91
A11724	Legal Defense of Indigents	52,767.53
A11734	Wayne Pre-Trial Services, Inc.	9,219.92
A11854	Coroner	12,516.00
A11904	Grand Jury	980.91
A31104	Sheriff	13,226.61
A31112	Sheriff - Recreational Safety	963.50
A31114	Sheriff - Recreational Safety	2,997.48
A31124	Sheriff - Civil Office	253.22
A31134	Sheriff - Juvenile Office	366.78
A31142	Sheriff - Road Patrol	25,200.46
A31144	Sheriff - Road Patrol	3,504.05
A31154	Sheriff - Detective Unit	438.11
A31164	Sheriff - Court Security	430.00
A31404	Probation	5,846.43
A31504	Sheriff - Jail	24,342.24
A31704	Other Correctional Agencies	1,625.00
A33152	Stop DWI	3,295.00
A33154	Stop DWI	1,316.96
A34104	Mutual Aid (Fire Coordinator)	460.38
A36404	Emergency Management Office	906.65
A36424	E911 Communications	3,833.56

A36444	ALS Services	<u>4,557.73</u>
		180,548.56
Committee No. 3	Public Works	
A16150	Buildings & Grounds	60.00
A16154	Buildings & Grounds	36,555.11
A16404	Central Garage	6,548.00
A66104	Consumer Affairs (W&M)	81.00
A87304	Soil Conservation	52,644.70
D50104	Highway Administration	423.57
D50204	Highway Engineering	284.57
D51104	Maintenance of Roads & Bridges	35,599.72
D51114	Road Striping & Sign Maint	32,721.01
D51122	Road Construction	712,475.68
D51424	Snow Removal - County	2,288.06
DM51302	Road Machinery	241,685.56
DM51304	Road Machinery	<u>81,891.78</u>
		1,203,258.76
Committee No. 4	Economic Development & Planning	
A64104	Publicity (Tourism)	3,373.39
A64114	Tourism Matching Funds Program	16,370.44
A80204	Planning Board	<u>595.13</u>
		20,338.96
Committee No. 5	Government Operations	
A10104	Legislative Board	51.46
A10404	Clerk Legislative Board	39.41
A12304	County Administration	101.42
A14104	County Clerk	2,075.56
A14204	County Attorney	1,506.91
A14304	Human Resources	240.51
A14314	Cafeteria Plan	717.60
A14502	Board of Elections	3,643.04
A14504	Board of Elections	2,943.36
A16714	Printing Department	1,396.38
A75102	County Historian	206.98
A75104	County Historian	771.08
MS17104	Administrative Fees	19,858.20
S17104	Workers Comp	<u>17,636.00</u>
		51,187.91
Committee No. 6	Health & Medical Services	
A40104	Public Health	6,575.12
A40114	Public Health Service	15,548.63
A40164	PH - Early Intervention 0-1	148,628.49
A40174	PH - Child w/Spec Needs 3-5	322,964.71
A40184	Public Health Education	3,840.94
A40192	Wayne Community Nursing Care	439.99
A40194	Wayne Community Nursing Care	31,891.40
A40204	PH - EMS Coordinator	602.80
A43004	Behavioral Health	116,838.56
E60002	NH Combined	6,446.61
E60004	NH Combined	<u>334,077.87</u>
		987,855.12
Committee No. 7	Human Services	
A60102	Administration	3,790.00
A60104	Administration	102,761.61

A60704	Purchase of Services	3,004.21
A61094	Family Assistance	120.00
A61234	Juv Delinquent Care	3,929.89
A61294	State Training School	75,661.67
A61404	Safety Net	360.00
A62114	Title V Senior Comm Service	40.88
A62124	WFD/DSS Intensive Employment	929.94
A62144	Economic Opportunity & Develop	386.70
A62164	WFD-DSS TEAP	40.88
A62174	WFD-DSS WAGE SUBSIDY	244.66
A62184	WFD-PROJECT VETERAN RETURN	575.12
A62894	WIA YOUTH STIMULUS FUNDS	1,716.06
A62924	WFD-APY GRANT	123.20
A62934	WIA Adult	560.53
A62944	WIA Dislocated	1,086.63
A62954	WIA Youth	339.04
A62964	TANF Summer	1,037.68
A62992	WFD-Administration	5,222.00
A62994	WFD-Administration	40.88
A65104	Veteran Services	111.01
A67724	Area Agency on Aging	46,271.25
A73104	Youth Bureau	39,182.16
A73114	Youth Program - Recreation	<u>184.14</u>
		287,720.14
	Warrant Total	<b>2,869,343.62</b>
	During the Month Utilities	<b>92,509.81</b>
	Miscellaneous Disbursements	<b>315,042.00</b>

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

#### COMMUNICATIONS:

The Clerk read the following:

The Sheriff's Report for the month of July 2009 in the amount of \$16,549.34 was received and filed.

A copy of a certified resolution was received from the Seneca County Board of Supervisors urging Federal and State Representatives to vigorously oppose any "Carcieri Fix" and to continue its support of Cayuga and Seneca Counties in opposition to land being taken into trust for the Cayuga Indian Nation.

A copy of a resolution was received from the Wyoming County Board of Supervisors urging Federal and State Representatives to implement immediate actions to help relieve the current dairy fiscal crises.

A copy of an adopted resolution was received from the Schoharie County Board of Supervisors regarding support in requesting the State of New York, as part of larger true Medicaid Reform, take back the local costs paid by counties statewide.

A copy of a resolution was received from the Fulton County Board of Supervisors regarding opposing NYS Senate and Assembly Bills which would include Local Correctional Facilities within the definition of hospital, under the jurisdiction of the NYS Department of Health.

Copy of an adopted resolution was received from the Seneca County Board of Supervisors regarding appointments and reappointments to the Fingerlakes Workforce Investment Board.

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

**BIDS AND PROPOSALS:**

Highway Department

- Newark-Marion Road and Lake Bluff Road Resurfacing Projects
- Ridge Road Rehabilitation Project

E911 Communications

- Tower Construction Project

Buildings and Grounds

- Modifications and Upgrades to the Fire Training Center's Burn Building
- Temporary Storage Space for Equipment and Record Storage

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

**PROCLAMATION:**

The Clerk read a Proclamation on behalf of the Board, entitled:  
Golden Olympics Day – September 12, 2009

**PRIVILEGE OF THE FLOOR:**

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

**RESOLUTION NO. 526-09: INCREASE STATE AID REVENUE AND PERSONAL SERVICES AND CONTRACTUAL SERVICES**

Mr. Hammond presented the following:

WHEREAS, the Wayne County Department of Aging and Youth has received final YDDP allocations for the Recreation program; and

WHEREAS, the required 50% County match of \$1,771 already exists in the current 2009 budget; now, therefore, be it

RESOLVED, that the Wayne County Treasurer's Office make the following budget modifications in the 2009 Youth Recreation Budget:

A7311-YOUTH PROGRAM RECREATION:

\$3,542.00 to .43716 State Aid

\$2,000.00 to .51461 Lifeguard

\$1,542.00 to .54100 Supplies and Materials

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

**RESOLUTION NO. 527-09: AUTHORIZE NEW YORK CONNECTS CONTRACT FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Hammond presented the following:

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

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

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

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

RESOLVED, that the Commissioner of Wayne County Department of Social Services is hereby authorized to sign the "NY Connects" Contract for the timeframe 10/1/09-9/30/10 in an amount not to exceed \$64,000, subject to the review of the Wayne County Attorney.

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

adopted.

**RESOLUTION NO. 528-09: AGREEMENT WITH WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH TO PROVIDE OUTREACH ACTIVITIES – HOME ENERGY ASSISTANCE PROGRAM (HEAP)**

Mr. Hammond presented the following:

WHEREAS, Wayne County Department of Social Services is required to contract with an alternate certifier for the HEAP program; and

WHEREAS, Wayne County Department of Aging and Youth has provided this service in the past in an acceptable manner and 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 Department of Aging and Youth to provide outreach activities during the period 10/1/09-9/30/10, for the total sum of \$19,000 subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 529-09: AUTHORIZATION TO PURCHASE EQUIPMENT NOT INCLUDED IN THE BUDGET FOR THE DEPARTMENT OF SOCIAL SERVICES**

Mr. Hammond presented the following:

WHEREAS, the Department of Social Services is desirous of purchasing equipment that was not included in the 2009 budget; and

WHEREAS, the desired equipment includes:

Seven (7) chairs at a cost of 165.11 each plus delivery/install price of 208.03 for a total of \$1363.80

Three (3) Wireless Headsets at a cost of 209.97 each for a total of 629.91

WHEREAS, there is sufficient money available in our office equipment line item account (2200) to purchase these items due to not purchasing the following:

(8) four drawer vertical files - \$1,224.00

(1) four drawer legal file \$ 145.03

(1) two drawer legal file - \$ 127.65

\$1496.68

Plus savings on other equipment purchases totaling: \$689.64; now, therefore, be it

RESOLVED, that Commissioner of Social Services is hereby authorized to purchase seven (7) chairs and three (3) Wireless Headsets at a total cost not to exceed \$1,993.71, leaving approximately \$200 in the Office Equipment account unexpended.

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

**RESOLUTION NO. 530-09: AUTHORIZATION TO AMEND THE 2009 DSS BUDGET TO FUND THE CLEAN & TUNE PROGRAM UNDER THE HEAP FUNDING**

Mr. Hammond presented the following:

WHEREAS, New York State has started the "Clean & Tune" program as a HEAP adjunct with said funding directed to the Cooling portion of the HEAP program; and

WHEREAS, these monies need to be expended by September 30, 2009 with the Wayne County Department of Social Services initially expend these funds and will be reimbursed the total amount expended; now, therefore be it

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

**A6141-HOME ENERGY ASSISTANCE PROGRAM:**

\$100,000.00 to .54000 Contractual Expense

\$100,000.00 to .44641 HEAP

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

**RESOLUTION NO. 531-09: AUTHORIZATION TO APPOINT MEMBER TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD**

Mr. Hammond 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: 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,

RESOLVED, that this Legislature does hereby re-appoint the following representatives to the Finger Lakes Workforce Investment Board to fill a three year term from July 1, 2009 through June 30, 2012.

John Socha  
Showboat Motel  
3434 Plum Point Road  
Himrod, NY 14842

Dr. Joseph Marinelli  
Wayne –Finger Lakes BOCES  
Eisenhower Building  
131 Drumlin Court  
Newark, NY 14513

Joseph Hamm  
NYS Department of Labor  
276 Waring Road  
Rochester, NY 14609

William Castiglione  
Ontario ARC/Abbey Industries  
3071 County Complex Drive  
Canandaigua, NY 14424

Marty Teller  
FLACRA  
28 East Main Street  
Clifton Springs, NY 14432

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

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

**RESOLUTION NO. 532-09: AUTHORIZATION FOR WAYNE COUNTY WORKFORCE DEVELOPMENT TO PROVIDE OFFICE SPACE TO EXPERIENCE WORKS AT THE WAYNE COUNTY WORKFORCE DEVELOPMENT OFFICE**

Mr. Hammond presented the following:

WHEREAS, Experience Works, a Title V Federal Program, provides employment services to Wayne County residents aged 55 and over; and

WHEREAS, One of the Workforce Development Departments programs also provides employment services to Wayne County residents aged 55 and over under the Title V Program; and

WHEREAS, Experience Works will reimburse Wayne County for telephone, computer, and other support services, but not rent; and

WHEREAS, Experience Works previously had a presence within the Workforce Development Department on a one day per week basis; and

WHEREAS, Experience Works has increased its available hours to full time and has requested office space on a five-day-per-week basis; now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors hereby authorizes the Workforce Development office to provide office space to one Experience Works agent for the period of August 1, 2009 to July 30, 2010, subject to an agreement that is acceptable to the County Attorney.

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

adopted.

**RESOLUTION NO. 533-09: AUTHORIZATION FOR WAYNE BEHAVIORAL HEALTH NETWORK (WBHN), DUE TO RESIGNATION, TO ABOLISH 1-COMMUNITY MENTAL HEALTH PROFESSIONAL POSITION AND CREATE & FILL 1-STAFF SOCIAL WORKER POSITION, AND AMEND 2009 BUDGET**

Ms. Park presented the following:

WHEREAS, WBHN has received a resignation (effective August 5<sup>th</sup>) from a staff member who holds the position of Community Mental Health Professional (CMHP); and

WHEREAS, due to substantial impending changes in the licensing of mental health professionals and Social Workers as detailed in NYS Education Law Article 154, WBHN is therefore in need of updating its staffing configuration and therefore is requesting to abolish the vacated Community Mental Health Professional position and in turn create and fill one position for Staff Social Worker; and

WHEREAS, this position serves as a primary mental health psychotherapist treating a case load of chronic mentally ill patients, it is essential to the staffing requirements of the mental health programs at WBHN; and

WHEREAS, this change will not involve any additional costs beyond current budgeted funding and the position generates sufficient revenues above and beyond its actual costs; now, therefore, be it

RESOLVED, that the Director of the Mental Health Department and WBHN is authorized to abolish one Community Mental Health Professional position and to create and hire one Staff Social Worker position and to amend the Mental Health Department 2009 Budget as follows:

**A4300-BEHAVIORAL HEALTH**

A43001.51325.M2120 Community Mental Health Professional (CMHP) - from \$92,034 to \$78,284

A43001.51322.M2120 Staff Social Worker - from \$434,437 to \$448,187

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

**RESOLUTION NO. 534-09: AUTHORIZING TRANSFER OF LEAVE TIME FOR A NURSING HOME EMPLOYEE**

Ms. Park presented the following:

WHEREAS, the following Wayne County Nursing Home employee is desirous to donate their designated vacation leave time to a Nursing Home co-worker in order to help her extend and cover leave time necessary for personal circumstances:

The following employee listed below donates vacation leave hours as noted:

Gerda Despaw – 75 hours Annual Leave

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to transfer a total of 75 hours of leave time to Ellen Kenville; and be it further

RESOLVED, that the hours will not be returned to said donor.

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

**RESOLUTION NO. 535-09: AUTHORIZING AGREEMENT TO ESTABLISH CLINICAL TRAINING PROGRAM WITH FINGER LAKES COMMUNITY COLLEGE AT THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, the Finger Lakes Community College has been approved to conduct nurse aide training program which requires clinical experience in a nursing facility. Wayne County Nursing Home desires to provide this supervised clinical experience; and

WHEREAS, this clinical program would commence January 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute an agreement on behalf of the Wayne County Nursing Home, with Finger Lakes Community College for the provision of educational programs effective January 1, 2010 for a period of two years. Agreement is subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 536-09: AUTHORIZING AGREEMENT BETWEEN WESTERN NEW YORK AREA HEALTH EDUCATION CENTER (R-AHEC) AND WAYNE COUNTY TO ESTABLISH DATABASE SYSTEM TO FACILITATE CAREER SEARCHES AND EMPLOYMENT INQUIRIES**

Ms. Park presented the following:

WHEREAS, Wayne County and R-AHEC have an interest in working collaboratively to improve access to quality primary health care in rural and medically underserved areas in the Commonwealth of New York; and

WHEREAS, Wayne County and R-AHEC agree that in order to improve access and quality of care, employees working in the healthcare professions must have the necessary skills, training, and resources available to them; and

WHEREAS, R-AHEC is developing a comprehensive website where information about Wayne County job opportunities and professional trainings for individuals searching for health career employment in the region; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute an agreement on behalf of Wayne County with R-AHEC, effective September 1, 2009; period not to exceed five (5) years. Agreement is subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 537-09: AUTHORIZATION TO DISPOSE OF NURSING HOME SURPLUS EQUIPMENT**

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home has equipment that it no longer needs and recommends that it be declared surplus and certain items available for sale; and

WHEREAS, the Wayne County Nursing Home is authorized to offer for sale any or all equipment the sale list to the highest bidder; now therefore be it

RESOLVED, that the Clerk of the Board is hereby authorized to advertise the following surplus equipment for sale:

- |                           |  |
|---------------------------|--|
| 3 -Bathing tubs           | 1 -Shower stretcher                                  |
| 1 -Conveyor toaster       | 6 -Geri chairs with tray table                       |
| 3 -Dish carts             | 3 -Large Geri chairs with crank handle for reclining |
| 1 -Ice machine bin        | 1 -Legend electric scooter                           |
| 1 -Plate warming cabinet  | 2 -Carts #6165                                       |
| 1 -Lift n Weigh bed scale | 6-Rolling med carts                                  |
| 2 -Bed scales             | 1 -Rolling chart rack                                |
| 2 -Stand n Weigh scales   |  |
| 3 -Ambulator              |  |

and be it further

RESOLVED, that the following surplus items be listed for review to other County departments for transfer;

- |                           |                              |
|---------------------------|------------------------------|
| 2 -4 drawer file cabinets | 1-conference table           |
| 1-lateral file cabinet    | 4-laminated 60" round tables |

and be it further

RESOLVED, that upon submission of bids the sale of said equipment be authorized for disposal from the equipment inventory list of the Wayne County Nursing Home; and be it

further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to accept or decline any or all bids for said equipment, and apply any revenue received to the Nursing Home Enterprise Fund.

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

**RESOLUTION NO. 538-09: AUTHORIZING THE WAYNE COUNTY NURSING HOME TO CONTRACT WITH COMFORCE NURSE STAFFING SERVICES**

Ms. Park presented the following:

WHEREAS, the COMFORCE Nurse Staffing Services is a firm that can provide Registered Nurses at a cost of \$46.90 per hour; and \$53.90 per hour, specialty rate; and

WHEREAS, the Wayne County Nursing Home wishes to enter into a contract to obtain registered nursing coverage as needed to cover vacancies; and

WHEREAS, the Wayne County Nursing Home recommends that the County enter into said contract of services effective September 1, 2009 to December 31, 2009; now, therefore, be it

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

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

**RESOLUTION NO. 539-09: AUTHORIZATION TO CREATE AN ADDITIONAL POSITION FOR GRADUATE PRACTICAL NURSE**

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home partnered with BOCES to obtain a Workforce Development Grant to address the shortage of licensed nurses; and

WHEREAS, four WCNH staff members have been participating in the LPN training program; and

WHEREAS, these individuals after successfully completing the LPN program will be returning as Graduate Practical Nurses in accordance with their training agreement; and

WHEREAS, the WCNH has currently three GPN positions available to be filled; and

WHEREAS, the WCNH desires to create an additional GPN position to retain these four staff members; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to create an additional GPN position for a total of four temporary positions of Graduate Practical Nurse at the Wayne County Nursing Home.

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

**RESOLUTION NO. 540-09: AUTHORIZATION TO EXECUTE CONTRACT WITH CARE CONTINUUM FOR THE CERTIFIED HOME HEALTH AGENCY**

Ms. Park presented the following:

WHEREAS, Care Continuum, a newly NYS authorized insurance company, wishes to contract with Wayne Community Nursing Care to be a preferred provider of home care services; and

WHEREAS, Wayne Community Nursing Care is willing and capable to provide such services; now, therefore, be it

RESOLVED, the Chairman of the Board is hereby authorized to execute a contract effective June 15, 2009 with Care Continuum, Inc., 11403 Bluegrass Parkway, Suite 710, Louisville KY 40299, subject to the County Attorney as to form and content, at the following rates:

Skilled Nursing	\$120	Medical Social Services	\$120
HHA	\$ 50	Physical Therapist	\$120

Occupational Therapist      \$120                      Speech Therapist              \$120  
Mrs. Bender moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

**RESOLUTION NO. 541-09: AUTHORIZATION TO AMEND RESOLUTION NO. 257-09 TO ADD A NEW PROVIDER FOR 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-age children with handicapping conditions; and  
WHEREAS, Cheryl Aroesty, of 1 Lawton Drive, Pittsford, NY 14534, wishes to contract with Wayne County Public Health to provide Related Services; now, therefore, be it  
RESOLVED, pursuant to Section 4410 of the Education Law, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract, subject to the County Attorney's approval as to form and content, for the provision of related services for preschool children with handicapping conditions for the period 8/1/09 – 6/30/2011 in accordance with the rates approved by the Public Health Committee of the Board of Supervisors as follows:  
Cheryl Aroesty: occupational therapy - \$56/.5hr 2009 – 10; \$57/.5hr 2010 – 11.  
Mrs. Crane moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

**RESOLUTION NO. 542-09: AUTHORIZATION TO RENEW CONTRACT WITH BUILDING BLOCKS COMPREHENSIVE SERVICES, INC FOR CERTIFIED HOME HEALTH AGENCY**

Ms. Park presented the following:  
WHEREAS, Wayne County Public Health must contract for Speech Therapy, Physical Therapy and Occupational Therapy for patients in the Certified Home Health Agency (CHHA); and  
WHEREAS, the following provider employs licensed professionals qualified and competent to provide such services; now, therefore, be it  
RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a renewal contract with Kelly Bateman d/b/a Building Blocks Comprehensive Services, Inc. on behalf of the CHHA, subject to the provider being currently in compliance with the County's insurance requirements and the County Attorney's approval as to form and content, for the period 7/1/09 – 12/31/09 at the following rates:  
Speech Therapy                      \$66.00/one hour visit  
Physical Therapy                      \$65.00/one hour visit  
Occupational Therapy                      \$65.00/one hour visit  
Mr. Fabino moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

**RESOLUTION NO. 543-09: AUTHORIZATION TO SUBMIT A BUDGET AND WORKPLAN FOR EARLY INTERVENTION ADMINISTRATION AND EXECUTE CONTRACT**

Ms. Park presented the following:  
WHEREAS, Wayne County Public Health wishes to renew its contract with New York State Department of Health Early Intervention Administration contract for the period October 1, 2009 – September 30, 2010 in the amount of \$66,666; and  
WHEREAS, Wayne County Public Health must submit a budget and work plan describing the work and projects as described in the plan; and  
WHEREAS, the work plan includes such activities as Child Find, Public Awareness, Family Centered Services, Service Delivery in Natural Environments, Transition from EI to Pre-K, Administration and Oversight of the program; now, therefore, be it  
RESOLVED, that the Director of Public Health is hereby authorized to submit a budget and work plan, and, further, that the Chairman of the Board of Supervisors is hereby authorized to execute the contract on behalf of the County of Wayne, subject to the County Attorney's

approval as to form and content, for the period October 1, 2009 to September 30, 2010 in the amount of \$66,666.

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

**RESOLUTION NO. 544-09: AUTHORIZATION TO SUBMIT A WORKPLAN, BUDGET AND CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE HEALTHY COMMUNITIES CAPACITY BUILDING INITIATIVE**

Ms. Park presented the following:

WHEREAS, the New York State Department of Health (NYSDOH) Bureau of Community Chronic Disease Prevention works to minimize obesity and chronic disease in New York State through actions designed to increase physical activity and improve nutrition; and

WHEREAS, to build capacity and support local efforts to reduce chronic disease, Wayne County Public Health (WCPH) is eligible to receive a non-competitive award of \$34,000 for the period of August 1, 2009 to March 31, 2010; and

WHEREAS, WCPH is to develop a local action plan to implement policy and environmental changes to address the physical activity and nutrition objectives in the Department of Health's Prevention Agenda; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized to sign and return the Local Health Department Healthy Communities Capacity Building Initiative Award Acceptance Form to the NYSDOH by August 28, 2009; and be it further

RESOLVED, the Director of Public Health is hereby authorized to submit a work plan and budget to the NYSDOH and the Chairman of the Board of Supervisors is hereby authorized to execute a contract with the NYSDOH Healthy Communities Capacity Building Initiative, subject to the County Attorney's approval to form and content, for the period of August 1, 2009 to March 31, 2010 for the amount of \$34,000.

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

**RESOLUTION NO. 545-09: AUTHORIZATION TO APPLY FOR MEMBERSHIP TO THE MINNESOTA MULTISTATE CONTRACTING ALLIANCE FOR PHARMACY**

Ms. Park presented the following:

WHEREAS, Wayne County Public Health currently purchases adult vaccines through private pharmaceutical companies; and

WHEREAS, Wayne County Public Health wishes to become a member of the Minnesota Multistate Contracting Alliance for Pharmacy to purchase vaccines at a reduced rate; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to sign the Minnesota Multistate Contracting Alliance for Pharmacy Facility Membership Agreement, subject to the approval of the County Attorney as to content and form, so that Wayne County Public Health can purchase vaccines at a reduced rate.

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

**RESOLUTION NO. 546-09: AUTHORIZATION TO PURCHASE EQUIPMENT WITH FEDERAL STIMULUS FUNDING FOR IMMUNIZATION PROGRAM AND CREATE REVENUE LINE ITEM AND AMEND 2009 BUDGET**

Ms. Park presented the following:

WHEREAS, there is federal stimulus funding available for the purchase of necessary equipment for the Wayne County Immunization Program to enhance the services provided; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized to purchase the following equipment with Federal Stimulus Funding for the Wayne County Public Health Immunization Program at a cost of \$3,840.60, plus delivery charges, if applicable:

1 – refrigerator

1 – freezer

and be it further

RESOLVED, that the County Treasurer is hereby authorized to create a revenue line item within the Public Health Budget 2009 as follows:

Account No. A44626 – Immun Stimulus

and be it further

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

Account No. A4011 – Public Health

Increase 40112.52200 Office Equipment by \$3841

Increase new created revenue 40110.44626 by \$3841

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

**RESOLUTION NO. 547-09: RESOLUTION REGARDING WAYNE COUNTY POLICY ON POLITICAL ACTIVITY BY COUNTY OFFICERS AND EMPLOYEES**

Mrs. Collier presented the following:

WHEREAS, there is currently no official Wayne County Policy regarding political activity by County Officers and Employees; and

WHEREAS, from both an ethical and fiscal standpoint it is important that the county define parameters for conduct of its officer's and employee's involvement in political activity; now therefore be it

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

Policy:

- 1) Services of the county will be delivered in a neutral, non-partisan manner
- 2) Except as otherwise provided by law, county officers and employees are encouraged to fully express their political opinions, and exercise their right to vote, or to refrain from doing so as they see fit, without fear of penalty or reprisal. However, such officers and employees may not abuse the authority of their position, by securing a benefit for another person in exchange for some promise of a political favor from that other person. And, county officers and employees may not violate any state or applicable federal laws relating to elections.
- 3) County officers and employees will not engage in political activity while on duty, while occupying any room or building used for county purposes during regular business hours for that building, while wearing a uniform or identification card signifying the wearer to be a county employee, or while using any vehicle owned or leased by the county.
  - A) Under these guidelines, the following activities are appropriate:
    - Voting;
    - Political party membership;
    - Campaign work after hours and absent any displayed identification as a county employee, such as uniform, county vehicle, county ID badge, or other form of identification referencing county employment.
    - Candidacy for political office (except where prohibited).
  - B) The following are prohibited:
    - Political signs and stickers on county vehicles used for official business;
    - Buttons and other partisan indicia on uniforms and civilian clothes, when worn with a county identification;
    - Display of political material in the work place;

- Solicitation of support, while on duty, for a particular candidate or cause;
- Use of county property, equipment, office, titles for a particular candidate or cause.
- Endorsement or Solicitation of Support for particular candidates or cause utilizing official titles and/or county stationary (letterhead).

Mrs. Collier moved, Seconded by Mr. Lauderdale, that the "RESOLVED" clause under item 3.B., be amended to change the word "cars" to "county vehicles".

Upon roll call to amend the resolution, all Supervisors voted Aye. The Chairman declared the motion carried.

Mr. Lauderdale moved the resolution, seconded by Mr. Lyon. Upon roll call on the amended resolution, adopted.

**RESOLUTION NO. 548-09: RESOLUTION AUTHORIZING COUNTY ADMINISTRATOR TO COMMENCE MANAGEMENT AND CONFIDENTIAL POSITIONS GRADE, CLASSIFICATION, AND COMPENSATION REVIEW**

Mrs. Collier presented the following:

WHEREAS, the County does not have a formal compensation grade structure or system for its Management and Confidential Positions; and

WHEREAS, Management and Confidential Positions Salary Ranges need to be established based upon the level of skills, knowledge, abilities, and responsibilities required to perform the assigned duties; and

WHEREAS, Management and Confidential Positions should be compensated consistently in relationship to other positions of the similar levels of responsibility; and

WHEREAS, in order to construct a fair and equitable system of placing grade level assignments on Management and Confidential Positions a survey of those positions is necessary; and

WHEREAS, the County Administrator, Human Resources Director, and Fiscal Manager in consultation with certain county department heads, who will comprise an internal review group to maintain consistency in the application of the survey and review, have refined a survey instrument in order to review Management and Confidential Positions; and

WHEREAS, the survey and review document has been discussed with and reviewed by the Government Operations Committee over the past several months as the document was being finalized; and

WHEREAS, the County Administrator has indicated that the survey instrument is appropriately applied by the internal review group only to non-elected positions, but that Management and Confidential Positions within departments headed by independently elected officials will be included in the review; and

WHEREAS, Based upon the results of that review a Management Compensation Schedule and a Confidential Employee Compensation Schedule needs to be established for these positions ; and

Whereas, the County Administrator has indicated to the Wayne County Board of Supervisors that the review of Management and Confidential Positions is ready to begin; now, therefore, be it

RESOLVED, that the County Administrator, assisted by the Human Resources Director, Fiscal Manager and other county departments and staff, functioning as an internal review group, is authorized to proceed with a review of all non-elected Wayne County Management and Confidential Positions; and be it further

RESOLVED, that upon the completion of the review, the results will be reported to the Government Operations Committee and the Board of Supervisors along with a

recommendation from the County Administrator relative to an implementation strategy.

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

**RESOLUTION NO. 549-09: AUTHORIZATION TO AMEND 2009 EQUIPMENT ADDENDUM AND BUDGET AND THE PURCHASE OF EQUIPMENT FOR THE CLERK OF THE BOARD**

Mrs. Collier presented the following:

WHEREAS, the 2009 County Budget Equipment Addendum listed a fax machine for purchase in 2009 at a cost of \$168.00; and

WHEREAS, the Clerk of the Board chair is broken and cannot be repaired and the department believes the fax machine will last until 2010; now therefore be it

RESOLVED, that the 2009 County Budget Equipment Addendum be amend in A1010 to list a chair and delete a fax machine, and further

RESOLVED, that the Clerk of the Board be authorized to purchase a chair for an amount not to exceed 170.00; and further

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

**A1010 – LEGISLATIVE BOARD:**

\$2.00 to 52200 Office Equipment

\$2.00 from .54150 Office Supplies

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

**RESOLUTION NO. 550-09: AUTHORIZATION TO SET CONFIDENTIAL/MANAGERIAL SALARY IN HUMAN RESOURCES DEPARTMENT FOR FISCAL YEAR 2009**

Mrs. Collier presented the following:

WHEREAS, a budgeted confidential/management position in the Wayne County Human Resources Department, Personnel Clerk Part-time, has been vacant since April 7, 2009; and

WHEREAS, the County Administrator anticipates authorizing the refilling of the position of Personnel Clerk Part-time effective August 19, 2009; and

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

WHEREAS, the County is developing such a schedule for future use; and

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

WHEREAS, the County Administrator has recommended starting salaries and wage rates for each position consistent with the current budget; and

WHEREAS, the Human Resources Department needs to begin to recruit for the position; now therefore be it

RESOLVED, that the hourly wage for the vacant Personnel Clerk Part-time is hereby established at a rate not to exceed \$13.50 per hour.

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

**RESOLUTION NO. 551-09: AUTHORIZATION TO ESTABLISH 2010 RATES FOR SELF-INSURED WORKERS COMPENSATION PLAN**

Mrs. Collier presented the following:

WHEREAS, the County of Wayne is required to establish rates for 2010 for the Self-Insured Workers Compensation Plan; and

WHEREAS, said rates shall be adopted by the Wayne County Board of Supervisors for each member of the Self-Insured Workers Compensation Plan; now therefore be it

RESOLVED, that the County of Wayne hereby adopts the following rates for 2010 for the Self-Insured Workers Compensation Plan:

Wayne County	\$1,140,698.00		
Town of Arcadia	\$ 41,634.00	Village of Clyde	\$ 74,496.00
Town of Butler	\$ 8,259.00	Village of Lyons	\$ 21,581.00
Town of Galen	\$ 14,030.00	Village of Newark	\$ 166,551.00
Town of Huron	\$ 20,777.00	Village of Palmyra	\$ 17,492.00
Town of Lyons	\$ 20,112.00	Village of Red Creek	\$ 1,881.00
Town of Macedon	\$ 266,130.00	Village of Sodus	\$ 8,058.00
Town of Marion	\$ 25,099.00	Village of Sodus Point	\$ 11,537.00
Town of Ontario	\$ 116,600.00	Village of Wolcott	\$ 8,579.00
Town of Palmyra	\$ 38,087.00	Wayne CAP	\$ 47,427.00
Town of Rose	\$ 14,906.00	WCWSA	\$ 9,399.00
Town of Savannah	\$ 10,494.00	WC Historical Society	\$ 559.00
Town of Sodus	\$ 57,679.00		
Town of Walworth	\$ 53,060.00		
Town of Williamson	\$ 42,537.00		
Town of Wolcott	\$ 16,130.00		

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

**RESOLUTION NO. 552-09: AUTHORIZING RIGHT OF WAY TO THE NEW YORK STATE CANAL CORPORATION**

Mr. Spickerman presented the following:

WHEREAS, Wayne County owns property upon which the Erie Canal New Trail Construction R4: Newark to Galen project has been designed to be constructed on; and

WHEREAS, in order to construct the trail NYS Canal Corporation requires a right of way from the County; now, therefore, be it

RESOLVED, that such easements are to be provided, subject to the review of the County Attorney.

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

**RESOLUTION NO. 553-09: AUTHORIZING APPLICATION UNDER TIGER PROGRAM WITH THE VILLAGE OF LYONS AND THE NEW YORK STATE CANAL CORPORATION FOR FUNDING OF THE ERIE CANAL NEW TRAIL CONSTRUCTION R4: NEWARK TO GALEN PROJECT**

Mr. Spickerman presented the following:

WHEREAS, Wayne County owns property upon which the Erie Canal New Trail Construction R4: Newark to Galen project has been designed to be constructed on; and

WHEREAS, the Village of Lyons and the New York State Canal Corporation also own such property; and New York State Canal Corporation has designed and will construct the project; and

WHEREAS, TIGER is a federal program that was created as part of the American Recovery and Reinvestment Act to provide funding for projects with near-term creation and retention of jobs, in particular those that are associated with transportation infrastructure projects that are deemed "shovel ready", now, therefore, be it

RESOLVED, that the Board of Supervisors hereby agrees to partner with the Village of Lyons and the New York State Canal Corporation to submit an application for funding of the project; and be it further

RESOLVED, that partnering with such other towns and villages owning land within the route, as necessary, is hereby authorized; and be it further

RESOLVED, that the Chairman of the Board is authorized and directed to enter into such agreements as required for the application, subject to the review of the County Attorney.

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

call, adopted.

**RESOLUTION NO. 554-09: AUTHORIZING THE WAYNE ECONOMIC DEVELOPMENT CORPORATION TO PERFORM ESSENTIAL GOVERNMENTAL FUNCTIONS INCLUDING ACTIVITIES ASSOCIATED WITH THE PROMOTION OF COMMUNITY AND ECONOMIC DEVELOPMENT AND JOB CREATION AND ISSUANCE OF BONDS ON ITS BEHALF**

Mr. Spickerman presented the following:

WHEREAS, it the policy of the State of New York to promote the economic welfare and prosperity of its inhabitants and to actively promote, attract, encourage and develop economically sound commerce and industry; and

WHEREAS, Wayne County (the "County") is tasked with the responsibility and burden to promote the health, safety and general welfare of the residents of the County by among other things preventing unemployment and economic deterioration including by increasing and maintaining employment opportunities and attracting and sustaining economically sound commerce; and

WHEREAS, it is essential for the County to support the operation by both for-profit entities and not-for-profit corporations within the County to increase the employment opportunities for residents of the County and the ability to provide financing through the issuance of tax exempt and taxable bonds to projects of for-profit entities and not-for-profit corporations is essential to the continued development, construction, improvement and operation of projects by for-profit entities and not-for-profit corporations; and

WHEREAS, in furtherance of its public purposes, the County has supported the provision of taxable and tax exempt financing by the Wayne County Industrial Development Agency (the "Agency") and of certain other financial incentives to for-profit entities and not-for-profit corporations to promote the creation and preservation of employment opportunities for residents of the County and development of economically sound commerce consistent with the County's burdens and responsibilities as expressed above; and

WHEREAS, Wayne Economic Development Corporation (the "Corporation") is established as a not-for-profit local development corporation pursuant to Sections 402 and 1411 of the New York Not-For-Profit Corporation Law ("N-PCL") for the exclusive public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities and lessening the burdens of government and acting in the public interest and has the powers, among other things, to construct, acquire, rehabilitate and improve for use by others industrial or manufacturing plants, to assist financially in such construction, acquisition, rehabilitation and improvement, to acquire real or personal property and to issue bonds, notes and other obligations thereof; and

WHEREAS, to accomplish its job creation and other economic development responsibilities and relieve the burdens related to same, and to facilitate the ability of for-profit entities and not-for-profit corporations to access capital for projects that enhance, create and preserve employment opportunities for residents of the County, the County desires to task the Corporation with such burdens and responsibilities and authorize the Corporation to issue bonds on behalf of the County for such purposes and to work cooperatively with the Agency to achieve such public purposes; now, therefore, be it

RESOLVED, the County hereby reaffirms and acknowledges its powers to appoint the Directors of the Agency and the Corporation, and the Corporation is hereby designated as an on behalf of issuer of the County for the purposes of issuing bonds with authority to exercise on the County's behalf all lawful powers as may be deemed necessary to accomplish its public purposes including to enhance, create and preserve employment opportunities for residents of the County, which such powers shall include, but not be limited to, those powers described in N-PCL Section 1411 and the Corporation's Certificate of Incorporation, with the power to issue

tax exempt and taxable bonds, notes, or other obligations on behalf of the County in furtherance of its purposes, provided however that any obligations issued by the Corporation shall never be a debt of the State of New York, the County or any political subdivision thereof (other than Corporation) and neither the State of New York, the County or any political subdivision thereof (other than Corporation) shall be liable thereon; and be it further

RESOLVED, that the County is hereby authorized to covenant and agree with the Corporation in a transaction contemplated by this resolution for the benefit of the Corporation and the holders from time to time of any bonds, notes or other obligations or other securities (hereinafter collectively, the "Securities") issued by the Corporation that the County will not limit or alter the rights of the Corporation to fulfill the terms of its agreements with the holders of the Securities or in any way impair the rights and remedies of such holders of the security for the Securities until the Securities, together with the interest due thereon or payable in respect thereof and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged. Authorized representatives of the County are hereby granted the power to make such a covenant to and agreement with the Corporation and to take any and all actions necessary or desirable to cause such covenant and agreement to be made or enforced. The Corporation is hereby authorized to assign to or for the benefit of the holders of its Securities any covenant or agreement made by the County pursuant to the foregoing provisions; and be it further

RESOLVED, that these resolutions shall take effect immediately.

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

**RESOLUTION NO. 555-09: MAKING A DETERMINATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**

Mr. Spickerman presented the following:

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQRA Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State, being 6 NYCRR Part 617, as amended (the "Regulations"), the Wayne County Board of Supervisors (the "Board"), as lead agency, desires to determine whether the following action may have a "significant effect on the environment" (as said quoted term is defined in the SEQRA Act and the Regulations) and therefore require the preparation of an environmental impact statement: An action to replace the culvert carrying Lyons-Marengo Road over the Clyde River to open the Clyde River and improve flow conditions, which will improve water quality and permit non-motorized water craft to use the river (the "Project"); and

WHEREAS, to aid the Board in determining whether the Project may have a significant effect on the environment, the County Planning Director has caused to be prepared a Full Environmental Assessment Form (the " Full EAF"), a copy of which is on file with the Clerk of the Board of Supervisors; and

WHEREAS, the County has examined the Full EAF in order to make a determination as to the potential environmental significance of the Project; now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby declare itself lead agency for the purposes of conducting the environmental review of the Project; and be it further

RESOLVED, as follows:

1. Based upon examination of the Full EAF, and based further upon the Board's knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the County has deemed appropriate, the Board makes the following findings with respect to the Project:
  - (a) the Project consists of those components described in the first "Whereas" clause of this resolution; and

- (b) there are no known potentially significant impacts on the environment other than those noted in and addressed and/or mitigated by the County as set forth in the Full EAF.
- 2. Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the Board makes the following findings and determinations with respect to the Project:
  - (a) The Project constitutes an Unlisted Action (as defined in the Regulations); and
- 3. The Project will not result in any large and important impacts and, therefore, is one which will not have a significant effect on the environment, and the Board will not require an environmental impact statement with respect to the Project; and
- 4. This determination constitutes a negative declaration for the purposes of the SEQR Act.

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

**RESOLUTION NO. 556-09: AUTHORIZE JOINT MUNICIPAL IMPROVEMENT PROJECT FOR THE TOWN OF BUTLER**

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 Butler has requested the County to provide funding from the Joint Municipal Improvement Project for the installation of 500 linear feet of sidewalk which will complete a pedestrian connection between businesses located near Route 104 and the central business district in the Village of Wolcott; and

WHEREAS, the total project cost is estimated to be \$15,077 with the Town of Butler contributing \$10,051 in cash and in-kind services; 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 Butler in the amount of one-third the total project cost or \$5,026, whichever is less.

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

**RESOLUTION NO. 557-09: REAFFIRM SUPPORT FOR LYONS AMTRAK PASSENGER RAIL STATION**

Mr. Spickerman presented the following:

WHEREAS, the Village of Lyons, the Town of Lyons and Wayne County have been working together to establish a passenger rail station in the Village of Lyons; and

WHEREAS, the concept of a passenger rail station in Lyons has received unqualified support from communities all over the Finger Lakes/Lake Ontario/Erie Canal region; and

WHEREAS, the proposed Lyons Amtrak Passenger Rail Station is a timely and necessary addition to our transportation infrastructure, providing an additional transportation choice to a region with few options outside of the automobile; and

WHEREAS, providing safe and affordable access to the Finger Lakes/Lake Ontario/Erie Canal region of Upstate New York for visitors from out of the area is fundamental to the economic health of our region; and

WHEREAS, five station, track and platform design options have been submitted to CSXT and the NYS Department of Transportation for their review, which will lead to the selection of

one preferred design option; now, therefore, be it

RESOLVED, that Wayne County hereby reaffirms its support for the establishment of a regional Amtrak Passenger Rail Station in the Village of Lyons; and be it further

RESOLVED, that County staff resources will continue to be dedicated to advancing this station to design and construction; and be it further

RESOLVED, that Wayne County will continue using funds provided from a grant received from the New York State Department of Transportation with the help of Senator Michael Nozzolio to move the Amtrak Station project forward.

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

**RESOLUTION NO. 558-09: ENDORSE THE PRESERVATION AND PROTECTION OF ALASA FARMS**

Mr. Spickerman presented the following:

WHEREAS, Alasa Farms is a well known community asset consisting of a magnificent sweep of over 600 acres of history, agriculture, standing hardwood forest and essential wetlands that preserve and improve the water quality of Sodus Bay; and

WHEREAS, the Sodus Bay Shakers occupied the property from 1826-1838 where they constructed the Main House and the Deacon's House, both which still exist on the property in their original condition; and

WHEREAS, the property was also occupied by a utopian community known as the Fourier Phalanx from 1841 through 1846; and

WHEREAS, Fourierists were prominent supporters of the women's rights movement, the abolitionist movement and the Spiritualist movement in the Upstate New York Burned Over District; and

WHEREAS, the land served as a summer camp of the prehistoric Iroquois, an important stop on the Underground Railroad, an Abolitionist and Women's Rights meeting place and an inspiration for early African American music; and

WHEREAS, two major Sodus Bay tributaries run through the farm, which is also the home to several threatened and endangered species; and

WHEREAS, Alasa Farms is currently occupied by Cracker Box Palace, one of New York's few no-kill large animal shelters; and

WHEREAS, Cracker Box Palace houses, rehabilitates, and cares for large animals rescued as a result of animal cruelty investigations conducted by law enforcement agencies in Wayne County and provides these services at no cost to the County; and

WHEREAS, Cracker Box Palace has one of the only fully trained and equipped Large Animal Rescue Teams in Upstate New York, whose members are dispatched when needed for emergency situations all over the region; and

WHEREAS, the private owner of Alasa Farms has indicated his desire to sell and is negotiating a purchase offer with Cracker Box Palace, Inc. and the Genesee Land Trust for the purchase and preservation of the farm, its landscape and its historic buildings; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors recognizes the historic, ecological, and agricultural significance of Alasa Farms and endorses and supports the efforts of the Genesee Land Trust and Cracker Box Palace to purchase and preserve this irreplaceable property; and be it further

RESOLVED, that the staff of the Wayne County Planning Department is authorized to assist with this preservation effort by providing grant identification and preparation services and other technical assistance for this important project as necessary and appropriate.

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

**RESOLUTION NO. 559-09: AUTHORIZATION TO PREPARE AND SUBMIT A SNOWMOBILE TRAILS GRANT-IN-AID APPLICATION ON BEHALF OF WAYNE COUNTY**

**SNOWMOBILE CLUBS**

Mr. Spickerman presented the following:

WHEREAS, Resolution 560-98 established Wayne County as the Local Sponsor for the Snowmobile Trails Grant-In-Aid Program offered through the NYS Office of Parks, Recreation and Historic Preservation (OPRHP); and

WHEREAS, the County Planning Department has prepared applications to said grant program on behalf of snowmobile clubs in the County since 1998; and

WHEREAS, the County continues to recognize and support the recreational and economic benefits of snowmobiling throughout the County; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Planning Department to prepare and submit an application to OPRHP's Snowmobile Trails Grant-In-Aid Program for the 2009/2010 funding cycle pending approval by the County Attorney as to form and content.

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

Sharon Lilla, Director of the Wayne County Planning Department, gave a brief overview of the proposed comprehensive Housing Plan for Wayne County and entertained questions from the Supervisors regarding the grant application process.

**RESOLUTION NO. 560-09: AUTHORIZE SUBMISSION OF GRANT APPLICATION AND PREPARATION OF REQUEST FOR PROPOSALS FOR WAYNE COUNTY HOUSING PLAN**

Mr. Spickerman presented the following:

WHEREAS, the Finger Lakes Housing Consortium sponsored a Housing Conference in Geneva in 2008 to discuss overall housing needs in the Finger Lakes Region; and

WHEREAS, participants in workshops at the conference developed a list of recommendations to address housing issues, one which was the development of county comprehensive housing plans; and

WHEREAS, the Directors of the Wayne County Planning Department, the Office of Aging and Youth, the Mental Health Department, the Department of Social Services, the Finger Lakes Addictions Counseling and Referral Agency, the Victim Resource Center of the Finger Lakes and the Wayne County Administrator have met to discuss a strategy for the development of a Comprehensive Housing Plan for Wayne County ("the Plan"); and

WHEREAS, the Plan will quantify deficiencies in market rate, subsidized and special needs housing resources and will identify the connections between documented needs and available resources; and

WHEREAS, the Plan's implementation strategy will establish a schedule of reasonable short and long term goals designed to stabilize the housing market, provide safe and sanitary housing choices to all Wayne County residents and to ensure the availability of a variety of housing choices essential to the attraction of new jobs to our local and regional economy; and

WHEREAS, the development of a comprehensive housing plan for Wayne County is expected to cost a minimum of \$35,000; and

WHEREAS, there are competitive grant programs that will fund a portion of the costs associated with the development of planning documents; and

WHEREAS, the development of a comprehensive housing plan is an eligible activity under the Community Development Block Grant Technical Assistance Program ("CDBG TA Program"), which is a competitive grant program that provides 60 percent funding for eligible planning activities up to \$25,000; now, therefore be it

RESOLVED, that the Director of Planning is authorized to apply for \$25,000 from the CDBG TA program; and be it further

RESOLVED, that Wayne County commits the required 40 percent funding match in an amount not to exceed \$10,000; and be it further

RESOLVED, that the Chairman of the Board is authorized to appoint a committee to oversee the development of the Plan; and be it further

RESOLVED, that the committee appointed by the Chairman is authorized to prepare a

Request for Proposals (RFP) to solicit consulting services in connection with the preparation of the Plan; and be it further

RESOLVED, that consulting services will not be solicited until grant funding is received and the RFP has been approved by the County Attorney and the Board of Supervisors.

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

**RESOLUTION NO. 561-09: MAKING A DETERMINATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**

Mr. LeRoy presented the following:

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQRA Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State, being 6 NYCRR Part 617, as amended (the "Regulations"), the Wayne County Board of Supervisors (the "Board"), as lead agency, desires to determine whether the following action may have a "significant effect on the environment" (as said quoted term is defined in the SEQRA Act and the Regulations) and therefore require the preparation of an environmental impact statement: An action to convert the old Wayne County Skilled Nursing Facility into office space for various county departments, which will include demolition of 13,007 square feet of the building, retrofitting 97,636 square feet of remaining space on three floors into office space, and improvement of associated on-site parking and drainage (the "Project"); and

WHEREAS, to aid the Board in determining whether the Project may have a significant effect on the environment, the County Planning Director has caused to be prepared a Full Environmental Assessment Form (the "Full EAF"), a copy of which is on file with the Clerk of the Board of Supervisors; and

WHEREAS, the County has examined the Full EAF in order to make a determination as to the potential environmental significance of the Project; now, therefore, be it

RESOLVED, as follows:

5. Based upon examination of the Full EAF, and based further upon the Board's knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the County has deemed appropriate, the Board makes the following findings with respect to the Project:
  - (c) the Project consists of those components described in the first "Whereas" clause of this resolution; and
  - (d) there are no known potentially significant impacts on the environment other than those noted in and addressed and/or mitigated by the County as set forth in the Full EAF.
6. Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the Board makes the following findings and determinations with respect to the Project:
  - (e) The Project constitutes an Unlisted Action (as defined in the Regulations); and
7. The Project will not result in any large and important impacts and, therefore, is one which will not have a significant effect on the environment, and the Board will not require an environmental impact statement with respect to the Project; and
8. This determination constitutes a negative declaration for the purposes of the SEQR Act.

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

Mr. Hammond questioned the State Environmental Quality Review (SEQRA) assessment form that was provided to the Board Members to review and inquired as to what option to select. Ms. Lilla indicated that the Board is selecting Option A for this project.

Upon roll call on this resolution, adopted.

**RESOLUTION NO. 562-09: AUTHORIZE RETURNING 2009 HIGHWAY DIESEL FUEL AND GASOLINE FUNDS BACK TO THE GENERAL FUND CONTINGENT ACCOUNT AND AMEND BUDGET**

Mr. LeRoy presented the following:

WHEREAS, diesel fuel and gasoline prices have gone down since the adoption of the 2009 budget; and

WHEREAS, the Public Works Committee recommended that the difference between the budget and the estimated year end cost for diesel fuel and gasoline be returned to the General Fund Contingent Account; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Highway Machinery as follows:

**DM5130 – ROAD MACHINERY:**

\$190,000.00 from .42304 Material Reimbursement

\$250,000.00 from .54121 Diesel Fuel

\$150,000.00 from .54128 Gasoline-Oil-Lube

**DM9901-INTERFUND TRANSFERS:**

\$210,000.00 to .59100 Transfer-General Fund

**A1990-CONTINGENT FUND GEN:**

\$210,000.00 to .54000 Contractual Expense

**A9999-OTHER:**

\$210,000.00 to .45031 Interfund Transfers

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

**RESOLUTION NO. 563-09: AUTHORIZATION TO APPROVE SUPPLEMENTAL PROJECT STATEMENT AND TRANSFER FUNDS**

Mr. LeRoy presented the following:

WHEREAS, the County Highway Department has an emergency culvert replacement on Smith Road in the Town of Marion; and

WHEREAS, in accordance with Section 115 of the Highway Law, the Superintendent of Highways has prepared a Supplemental Project Statement of proposed work for the following Miscellaneous Drainage Culvert Project

09-17 Miscellaneous Drainage Culvert Project	\$90,000
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now, therefore, be it

RESOLVED, that the Supplemental Project Statement prepared by the Superintendent of Highways is hereby approved by the Board of Supervisors, and the Chairman of the Board and the Clerk of the Board are hereby authorized and directed to endorse such approval on the Supplemental Project Statement; and be it further

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

**D5112-ROAD CONSTRUCTION:**

\$90,000.00 from .52632 Knickerbocker Road Project

\$90,000.00 to .52617 Miscellaneous Drainage Culvert Project

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

**RESOLUTION NO. 564-09: AMEND 2009 HIGHWAY ROAD CONSTRUCTION BUDGET TO ADD UNEXPENDED 2008 PROJECT FUNDS"**

Mr. LeRoy presented the following:

WHEREAS, the County Signage Project report has identified County Signage that needs to be upgraded; and

WHEREAS, The County Signage Project grant still has \$111,250.05 remaining to be used for signage upgrades (with a 5% local match), now, therefore, be it

RESOLVED, that the County Treasurer amend the 2009 D Fund Budget as follows:

**D5112-ROAD CONSTRUCTION:**

\$39,669.05 to .52678 Signage Project

\$39,669.05 to .44512 Federal Aid-Walsh

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

Mrs. Crane addressed the Board to inquire as to who would be making the determination as to what signs are being replaced.

Mr. Kevin Rooney, Wayne County Highway Superintendent, explained that remaining unexpended 2008 grant funds would be used and indicated that he would be working with the Town Highway Superintendents to determine their signage needs in their towns.

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

**RESOLUTION NO. 565-09: AUTHORIZATION TO ACCEPT LOW BID FOR THE NEWARK-MARION ROAD AND LAKE BLUFF ROAD RESURFACING PROJECTS**

Mr. LeRoy presented the following:

WHEREAS, these projects are funded with 100% Federal Stimulus Funds (ARRA); and WHEREAS, the projects have been included in the OGS Statewide bid for similar Paver Placed Surface Treatment Projects; and

WHEREAS, the Federal Highway Administration and the New York State Department of Transportation recognize the OGS bid as an acceptable bidding procedure;

WHEREAS; the bids received on July 28, 2009 identify Midland Asphalt materials Inc. as the low bidder with the following project costs:

CR 154 Preventative Maintenance (D51122.52623) \$134,435.84

CR 220 Preventative Maintenance (D51122.52624) \$ 92,644.05

now, therefore, be it

RESOLVED, that the bid submitted to OGS By Midland Asphalt Materials Inc. of Lyons, New York, in accordance with the specification, is hereby accepted in the amount not to exceed \$\$227,079.89, subject to New York State Department of Transportation approval; 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 in accordance with the bid acceptance; and be it further

RESOLVED, that the County of Wayne fund the additional \$50,079.89 required to complete the project; and be it further

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

**A1990-CONTINGENT FUND GEN:**

\$50,079.89 from .54000 Contractual Expense

**A9901-INTERFUND TRANSFERS:**

\$50,079.89 to .59300 Transfer-County Road

**D5112-ROAD CONSTRUCTION:**

\$34,435.84 to .52623 CR 154 Preventative Maintenance

\$15,644.05 to .52624 CR 220 Preventative Maintenance

**D9999-OTHER:**

\$50,079.89 to .45031 Interfund Transfer

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

**RESOLUTION NO. 566-09: AUTHORIZE AMENDING 2009 DISTRICT ATTORNEY BUDGET AND PURCHASING OF EQUIPMENT WHICH IS GRANT FUNDED**

Mrs. Bender presented the following:

WHEREAS, the District Attorney receives a yearly grant to purchase equipment which will assist his office and law enforcement in their duties; and

WHEREAS, an amount of \$1,955.00 is available from the 2008-2009 grant to purchase vehicle emergency lighting and install police radios, which will be reimbursable under the grant; now therefore be it

RESOLVED, the District Attorney is authorized to purchase vehicle emergency lighting and install police radios utilizing 100% grant funds according to county purchasing procedures and authorization for the County Treasurer to amend the 2009 County Budget for the District Attorney as follows:

**Account No. A1165 - District Attorney**

\$1,955.00 to 43322 Legislative Grant – DA

\$1,955.00 to 52500 Other Equipment

Mrs. Bender moved, Seconded by Mr. Plant, that the amount of the grant be amended to the \$4,481.00, within the second "WHEREAS" clause; as well as the transferring amount in the "RESOLVED" clause to reflect the increased amount of \$4,481, as well.

Upon roll call to amend the resolution, all Supervisors voted Aye. The Chairman declared the motion carried.

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

**RESOLUTION NO. 567-09: AUTHORIZATION TO AMEND CONTRACT FOR AID TO PROSECUTION GRANT**

Mrs. Bender presented the following:

WHEREAS, the Aid to Prosecution Grant (#CO88188) will expire on September 15, 2009 and

WHEREAS, the District Attorney has requested to amend the Aid to Prosecution Grant in order to purchase vehicle emergency lights and install police radios; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an amendment for budget allocation on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the New York State Division of Criminal Justice Services to purchase vehicle emergency lights and install police radios; and be it further

RESOLVED, that the District Attorney is hereby authorized to expend grant funds noted above from the Aid to Prosecution Grant.

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

**RESOLUTION NO. 568-09: AUTHORIZATION FOR THE DISTRICT ATTORNEY TO AMEND BUDGET**

Mrs. Bender presented the following:

WHEREAS, the District Attorney has paid for the extradition of a defendant in the amount

of \$1,080.40 from Line Item 4485 Travel; and

WHEREAS, the District Attorney has been reimbursed by the defendant for said extradition in the amount of \$1,080.40 and that amount has been deposited into 42770 Miscellaneous Revenues; now, therefore, be it

RESOLVED, that the District Attorney is authorized to amend his 2009 budget as follows:

**Account No. A1165 - District Attorney**

\$1,080.40 to 42770 Miscellaneous Revenues

\$1,080.40 to .54485 Travel

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

**RESOLUTION NO. 569-09: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH SHULMAN, ROGERS, GANDAL, PORDY & ECKER FOR LEGAL SERVICES**

Mrs. Bender presented the following:

WHEREAS, Wayne County 911 operates a mobile computing system that is used, by the Sheriff's Office, State Police, and municipal police agencies operating in Wayne County; and

WHEREAS, said mobile computing system utilizes two radio frequencies in the 800 MHz spectrum for system data transmission; and

WHEREAS, Nextel (Sprint), the wireless communications corporation, entered into an agreement with the Federal Communications Corporation whereby Nextel will be allocated radio spectrum currently occupied by others, with Nextel to fund costs for current users within the targeted portion of the spectrum to convert their systems to other frequencies, with the initiative commonly referred to as the Nextel re-banding initiative; and

WHEREAS, the County mobile computing frequencies are within the portion of radio spectrum affected by the Nextel re-banding initiative; and

WHEREAS, the law firm of Shulman, Rogers, Gandal, Pordy & Ecker, based in Maryland, offers legal services to FCC licensees affected by the re-banding requirements, with such fees for service to be paid by Nextel as part of the re-banding agreement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an agreement with Shulman, Rogers, Gandal, Pordy & Ecker P.A, with such agreement subject to the approval of the County Attorney as to form and content, to represent the County in negotiations with Nextel, using the federally appointed Transition Administrator; and be it further

RESOLVED, that there shall be no County cost in association with the execution of said agreement.

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

**RESOLUTION NO. 570-09: AUTHORIZATION TO ACCEPT BID, EXECUTE CONTRACT, AND APPROPRIATE PROJECT FUNDING FOR TOWER CONSTRUCTION**

Mrs. Bender presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for the disposal of two existing communications towers, and the purchase, construction and installation of one communications tower and communications shelter at Brantling Hill; and

WHEREAS, the following bids were received and reviewed by the 911 Coordinator and the Public Safety Committee:

FRED A. NUDD CORPORATION	\$154,416.00
1743 Route 104	
Ontario, NY 14519	

R.J. SHICKLER, INC.	\$209,500.00
870 Scottsville-Chili Road	
Scottsville, NY 14546	

and

WHEREAS, certain other project tasks involve work to be performed by County Highway and Buildings and Grounds personnel, including excavation, removal of foundations, removal of the existing shelter, power and telephone line termination and reconnection; and

WHEREAS, certain other users of the Brantling Hill site will be required to temporarily move their transmitters to another site, or to suspend operations, with the transmitter utilized by WATS being the only County owned system involved; and

WHEREAS, Buildings and Grounds estimates the labor and material costs for their portion of the work to not exceed \$2,500.00, which will be charged to the project, with County Highway not charging back their labor or equipment portion of the work, except for the cost for stone for the fenced area, which shall not to exceed \$1,500.00; now, therefore, be it

RESOLVED, that the County of Wayne hereby accepts the bid of \$154,416 submitted by Fred A. Nudd Corporation; and be it further

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an agreement between the County of Wayne and Fred A. Nudd Corporation relative to the aforementioned bid, with such agreement subject to the approval of the County Attorney as to form and content; and be it further

RESOLVED, that Finger Lakes Communications, the vendor utilized by WATS, shall be authorized to move the WATS transmitter, antenna and coaxial cable temporarily to tower #1, then return it to tower #2 upon project completion, at a cost not to exceed \$3,000.00; and be it further

RESOLVED, that the 911 Coordinator shall be authorized to apply for a building permit from the New York State Department of State, Codes Division at a cost not to exceed \$200.00; and be it further

RESOLVED, that Buildings and Grounds estimates the labor and material costs for their portion of the work to not exceed \$2,500.00, which will be charged to the project, with County Highway not charging back their labor or equipment portion of the work, except for the cost for stone for the fenced area, which shall not to exceed \$1,500.00; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to establish the following project account line item, and to transfer \$151,268.00 from A878 Undesignated Capital Reserve as follows, intended to cover all project costs not previously appropriated as part of the PSIC grant:

**A9950-TRANSFER TO CAPITAL FUND PROJECT**

\$151,268.00 to .51934 Radio Interoperability Project

**H1934-RADIO INTEROPERABILITY PROJECT**

\$151,268.00 to .45031 – Interfund Transfer

\$151,268.00 to .52000COCST – Equipment & Other Cap

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

**RESOLUTION NO. 571-09: AUTHORIZE AMENDING 2009 COUNTY BUDGET FOR MODIFICATIONS TO THE WAYNE COUNTY FIRE TRAINING STRUCTURE**

Mrs. Bender presented the following:

WHEREAS, \$146,000.00 has been secured from the New York State Office of Criminal Justice Grant Program, for Project # LG08-1527-D00; Contract # C088745 for modifications to the Wayne County Fire Training Structure; and

WHEREAS, Resolution # 892-08 authorized the advertising for bids for the “modification of the Wayne County Fire Training Structure” which were opened on August 3, 2009; and

WHEREAS, said bids were awarded according to the bid documents in August 2009 and the appropriate funding is now required to begin the project; now, therefore, be it

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

**A3410-MUTUAL AID (FIRE COORDINATOR):**

\$146,000.00 to .43716 State Aid

\$ 10,150.00 to .54000 Contractual Expense

\$135,850.00 to .54400 Contracted Services

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

**RESOLUTION NO. 572-09: AUTHORIZATION TO TRANSFER FUNDS FOR THE WAYNE COUNTY PUBLIC DEFENDER'S OFFICE FOR EXTENSION OF THE DCJS GRANT**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Public Defender's Office received a grant from the New York State Division of Criminal Justice Services (DCJS) in the sum of \$291,000 that ran from April 1, 2007 through March 31, 2009; and

WHEREAS, the Wayne County Public Defender's Office applied for an extension of said grant in February 2009, to make final expenditures; and

WHEREAS, on June 24, 2009, Wayne County Chairman of the Board, James Hoffman, received notice from DCJS that the grant was extended from March 31, 2009 through June 30, 2009; and

WHEREAS, authorization is hereby requested for the Wayne County Treasurer to make transfers in the Department appropriations and revenues for the extension of the DCJS grant; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is authorized to transfer the following:

**A1170-PUBLIC DEFENDER:**

\$ 267.00 to .51420 DCJS8 Sentencing Specialists

\$ 718.00 from .51421 DCJS8 Community Resource Liaison

\$ 4,642.00 to .58500 DCJS8 Unemployment Insurance

\$ 1,279.00 to .58500 Unemployment Insurance

\$ 1,279.00 from .54220 Lights and Power

\$ 7,700.00 to .54438 DCJS8 Maintenance and Repairs

\$ 4,456.00 to .54500 DCJS8 Fees for Services – Non employee

\$16,347.00 to .43716 STATE AID

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

**RESOLUTION NO. 573-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR REMOTELY PILOTED UNDERWATER VEHICLE FOR THE SHERIFF'S OFFICE**

Mrs. Bender presented the following:

WHEREAS, Resolution No. 444-09 accepted a grant from NYS Office of Homeland Security (FY08 LETPP) OHS #WM08836482 in the amount of \$54,500.00 and modified the 2009 County Budget to add the funds; and

WHEREAS, one approved grant item was a remotely piloted underwater vehicle which requires a bid; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise for bids for the purchase of a Remotely Piloted Underwater Vehicle previously approved for purchase in Resolution No. 444-09 as part of the FY08 LETPP Grant from NYS Homeland Security for the Sheriff's Office in accordance with specifications prepared by the Sheriff's Office and filed with the Clerk of the Board of Supervisors; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby designed and directed to publicly open the bids at the time specified in the Advertisement for Bids, and to present a record of the bids at the next meeting of the Board of Supervisors following the bid opening.

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

**RESOLUTION NO. 574-09: AUTHORIZATION TO ACCEPT GRANT FROM NYS DCJS LEGISLATIVE GRANT AWARD IN THE AMOUNT OF \$15,000 AND MODIFY BUDGET**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of

\$15,000 for the purchase of defibrillators for the Sheriff's Office from the NYS Division of Criminal Justice Services State Budget for 2009-2010 Project ID LG09-1103-D00, DCJS No. LG09099297; and

WHEREAS, the Sheriff has identified for purchase (7) Lifepak 1000 defibrillators, (10) Ouik-Combo w/Redi-Pak Electrodes and (3) Replacement Infant/child Reduced Energy Electrodes under State Bid Contract PC63997 from Physio Control, Inc. in the amount \$14,959.45(Requisition No.9000590); now, therefore, be it

RESOLVED, that the grant in the amount of \$15,000.00 is accepted for purchase of defibrillators and related materials costs as identified above; and be it further

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

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

**A3114 – SHERIFF ROAD PATROL**

\$15,000.00 to .43716 State Aid  
\$14,350.00 to .52500 Other Equipment  
\$ 650.00 to .54600 Misc

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

**RESOLUTION NO. 575-09: AUTHORIZATION TO TRANSFER LEAVE TIME FOR SHERIFF'S OFFICE EMPLOYEE**

Mrs. Bender presented the following:

WHEREAS, the following Wayne County Sheriff's Office employees are desirous to donate their designated vacation leave time to a Sheriff's Office co-worker in order to help him extend and cover leave time necessary for personal circumstances:

WHEREAS, the following individuals have volunteered to donate annual leave time totaling 130 hours:

Andrea Martin, 8 hours	Lena Davidson, 4 hours
Robert Milby, 16 hours	John Hill, 4 hours
Brian Ameele, 8 hours	James Jackson, 8 hours
George Lorenz, 4 hours	Tina Jackson, 8 hours
Jose Alvarado, Jr., 4 hours	Roxanne Swift, 8 hours
Laura Hinz, 4 hours	Robert St. Jean, 4 hours
Gabriel DeSanto, 4 hours	Donald Dennie, 8 hours
Scott Knapp, 8 hours	Julie vanLeeuwen, 4 hours
James Smith, 16 hours	Stephen Groot, 2 hours
Gregory VanFleet, 8 hours	

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to transfer a total of 130 hours of leave time from the above individuals; and be it further

RESOLVED, that the hours will be transferred to Correction Officer Scott Carr and not be returned to said donors.

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

**RESOLUTION NO. 576-09: AUTHORIZATION TO AMEND THE 2009 COUNTY BUDGET FOR THE SHERIFF'S JAIL ACCOUNT**

Mrs. Bender presented the following:

WHEREAS, the Jail has experienced a larger than expected use for the cost of housing inmates at other correctional facilities and an increase in the medical costs associated with

housing inmates which will require an amendment to the 2009 budget; now therefore be it  
RESOLVED, that the County Treasurer is hereby authorized and directed to transfer the  
following:

**A1990-CONTINGENT FUND GEN:**

\$32,498.00 from .54000 Contractual Expense

**A31504 SHERIFF – JAIL:**

\$14,498 to 54500 Fees for Services

**A31704 SHERIFF – OTHER CORRECTIONAL:**

\$18,000 to 54435 Inmate Expense

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

**RESOLUTION NO. 577-09: AUTHORIZATION TO TRANSFER LEAVE TO DAWN PISCIOTTI**

Mrs. Bender presented the following:

WHEREAS, Richard Piscioti acquired personal leave time prior to him taking the position of Wayne County Sheriff; and

WHEREAS, Sheriff Piscioti has requested to transfer two (2) days of personal leave to Dawn Piscioti to be used as sick time; now, therefore, be it

RESOLVED, that the Human Resources Department is hereby authorized to transfer two (2) days of personal time from Sheriff Piscioti to Dawn Piscioti to be used as leave time.

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

**RESOLUTION NO. 578-09: AUTHORIZATION TO REJECT BID(S) FOR BOAT HOIST AT SODUS POINT FOR WAYNE COUNTY SHERIFF'S OFFICE AND AUTHORIZATION TO ADVERTISE FOR NEW BID FOR BOAT HOIST AT SODUS POINT**

Mrs. Bender presented the following:

WHEREAS, Resolution No. 441-09 authorized the advertisement for the purchase and installation of a boat hoist to be located at Sodus Point for the Wayne County Sheriff's Office with said bid opening on August 3, 2009; and

WHEREAS, bids were received from Fowlers Marina and Krenzer Marine and based upon review of the bids, the recommendation to reject all bids is being made based upon an incomplete and inaccurate bid package; and

WHEREAS, the purchase and installation of a boat hoist to be located at Sodus Point for the Wayne County Sheriff's Office is still desired; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby rejects all bids for the boat hoist opened on August 3, 2009; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Wayne County Clerk of the Board to re-advertise for the purchase and installation of a boat hoist located at Sodus Point for the Wayne County Office of Sheriff and to publicly open the bids at a time and place specified in the Advertisement, and to present a record of the bids at the next meeting of the Board of Supervisors following the bid opening.

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

**RESOLUTION NO. 579-09: AUTHORIZING PAYMENT OF SETTLEMENT TO VERIZON**

Mr. Lyon presented the following:

WHEREAS, Verizon filed a claim, dated July 21, 2009 against the County of Wayne; and

WHEREAS, the parties are desirous of settling said claim for a total amount not to exceed One Thousand Nine Hundred Four and 13/100 dollars, (\$1,904.13); now, therefore, be it

RESOLVED, that the claim between Verizon 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 Verizon in the amount of One Thousand Nine Hundred Four and 13/100 dollars, (\$1,904.13); from Account No. A#1930 (Judgment and Claims), as directed by the Wayne County Attorney.

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

**RESOLUTION NO. 580-09: AUTHORIZING PAYMENT OF SETTLEMENT TO ROGER HART**

Mr. Lyon presented the following:

WHEREAS, Roger Hart filed a claim against the County of Wayne; and

WHEREAS, the parties are desirous of settling said claim for a total amount not to exceed Two Hundred Seventy Eight and 64/100 dollars, (\$278.64); now, therefore, be it

RESOLVED, that the claim between Roger Hart 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 Roger Hart in the amount of Two Hundred Seventy Eight and 64/100 dollars, (\$278.64); from Account No. A#1930 (Judgment and Claims), as directed by the Wayne County Attorney.

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

**RESOLUTION NO. 581-09: AUTHORIZATION TO TRANSFER FUNDS FROM THE CONTINGENT ACCOUNT TO THE JUDGMENTS & CLAIMS ACCOUNT IN THE 2009 COUNTY BUDGET**

Mr. Lyon presented the following:

WHEREAS the County had budgeted \$125,000.00 for 2009 for its Judgments and Claims account (A1930) from which legal fees and claims are paid; and

WHEREAS, the County has expended \$91,447.38 from this account through July 31, 2009; and

WHEREAS, the County Attorney believes that an additional \$50,000.00 will be required for the remainder of 2009; now, therefore be it

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

**A1930-JUDGEMENTS & CLAIMS:**

\$50,000.00 to .54000 Contractual Expenses

**A1990-CONTINGENT FUND GEN:**

\$50,000.00 from Contractual Expenses

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

**RESOLUTION NO. 582-09: AUTHORIZATION TO AMEND THE 2009 A9050 UNEMPLOYMENT RESERVE BUDGET**

Mr. Lyon presented the following:

WHEREAS, the County utilizes A9050 Unemployment Reserve account to pay costs associated with Unemployment Insurance claims and than charge backs the Departments for the direct costs; and

WHEREAS; the claims to date have exceeded the 2009 budget requiring and amendment; now therefore be it

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

**A9050-UNEMPLOYMENT RESERVE:**

\$30,000.00 to .42801 Interfund Reimbursements of Expenses

\$30,000.00 to .58000 Employee Benefits

Mr. Hammond moved the adoption of the resolution. Seconded by Mrs. Bender. Upon

roll call, adopted.

**RESOLUTION NO. 583-09: AUTHORIZATION TO AMEND UNALLOCATED INSURANCE BUDGET FOR 2009**

Mr. Lyon presented the following:

WHEREAS, expenses and revenues have been made for most of 2009 with only changes to automobiles to be made for the rest of 2009; and

WHEREAS, the County can be amended to accurately reflect 2009 expenses and revenues; now therefore be it

RESOLVED, that the County Treasurer amend the 2009 County Budget as follows:

**A1910-UNALLOCATED INSURANCE:**

\$54,080.00 from .41295 Dept Insurance Reimbursement

\$10,917.00 to .42770 Miscellaneous Revenues

\$46,000.00 from .54300 Insurance

\$ 2,837.00 to .54353 Insurance Consultants

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

**RESOLUTION NO. 584-09: AUTHORIZATION TO PURCHASE REPLACEMENT PROJECTOR FOR INFORMATION TECHNOLOGY**

Mr. Lyon presented the following:

WHEREAS, the Information Technology department is in need of a projector to replace the one in the IT Training Room; and

WHEREAS, the current projector is out of warranty and the IT technicians are unable to fix; and

WHEREAS, authorization is hereby requested for the Wayne County Treasurer to transfer the sum of \$1,335 from line 52201 (IT – Computer Equipment) to 52200 (IT – Office Equipment) to cover the cost; now, therefore, be it

RESOLVED, that the Director of Information Technology is hereby authorized to purchase the following made payable from Acct No A16802-52200(IT – Office Equipment) Req 9000572 1-projector & mount at a cost not to exceed \$1,335

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

**RESOLUTION NO. 585-09: AUTHORIZATION TO EXECUTE RENEWAL CONTRACT WITH PITNEY BOWES FOR A DIGITAL MAILING SYSTEM**

Mr. Lyon presented the following:

WHEREAS, the current rental agreement with Pitney Bowes is up for renewal in October 2009

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the lease contract for another term on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Pitney Bowes, as per State Bid Contract Pricing for the following:

1. The new lease would commence October 1<sup>st</sup>, 2009, for a term of 51 months.
2. The cost is \$525/mo (A reduction in cost of \$9/mo)
3. The new equipment would be delivered upon our approval of the agreement plus the 8038GC form.

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

**RESOLUTION NO. 586-09: AUTHORIZATION TO AMEND 2009 WORKFORCE DEVELOPMENT BUDGETS**

Mr. Lyon presented the following:

WHEREAS; the allocation of building related costs such as lease, maintenance and utilities changes from time to time based on the availability of funding; and

WHEREAS; when these allocations change, budgets may require amendments to accurately reflect costs associated to the funding; now, therefore, be it

RESOLVED; that based on current funding allocations, the County Treasurer is hereby directed to make the following amendment of the 2009 County Budget as indicated below:

**A6299-WFD ADMINISTRATION**

\$ 15.00 to .54210 Gas  
\$ 85.00 to .54220 Light & Power  
\$ 1.00 to .54230 Telephone  
\$ 5.00 to .54240 Water  
\$145.00 to .54407 Building Maintenance & Repair  
\$500.00 to .54437 Lease

**A6295-WIA YOUTH**

\$751.00 from .54437 Lease

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

**RESOLUTION NO. 587-09: AUDIT OF CLAIMS – August 18, 2009**

Mr. Lyon presented the following:

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

RESOLVED, that the following Claims totaling **\$2,869,343.62** are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$ 1,326,501.18
2. D Fund	\$ 783,792.61
3. DM Fund	\$ 323,577.34
4. E Fund	\$ 340,524.48
5. H Fund	\$ 57,453.81
6. MS Fund	\$ 19,858.20
7. S Fund	\$ 17,636.00
Warrant Total	\$ <b>2,869,343.62</b>

and be it further

RESOLVED, that the following utilities totaling **\$92,509.81**, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$ 55,944.41
2. DM Fund	\$ 2,185.68
3. E Fund	\$ 34,379.72
Utility Total	\$ <b>92,509.81</b>

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling **\$315,042.00** are hereby ratified:

1. Nursing Home	\$ 3,519.29
2. Sheriff-Misc.	\$ 1,319.20
3. Social Services	\$ 1,510.93
4. Dept. Aging & Youth	\$ 8,675.00
5. Public Health	\$ 383.00
6. Workers' Comp	\$ 226,381.58
Misc. Disbursement Total	\$ <b>315,042.00</b>

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

**RULE NO. 15 RESOLUTIONS**

**RESOLUTION NO. 588-09: AUTHORIZATION TO SUBMIT WORK PLAN AND BUDGET AND CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH CANCER SERVICES PROGRAM PARTNERSHIP FOR APRIL 1, 2010 – MARCH 31, 2011.**

Ms. Park presented the following:

WHEREAS, New York State Department of Health has requested documents and information for continuation of the Integrated Cancer Services Program Breast, Cervical and Colorectal Cancer Screening Partnership (CSP) for contract no. C023426 for the period of April 1, 2010 – March 31, 2011 for the amount of \$146,241; and

WHEREAS, Wayne County Public Health (WCPH) wishes to renew its contract with the NYSDOH CSP program; and

WHEREAS, WCPH must submit a budget and work plan describing the work and projects as described in the contract and guidance documents; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized to submit a work plan and budget in the amount of \$146,241; and be it further

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract for the Cancer Screening Partnership of Wayne County, subject to the County Attorney's approval as to form and content, for the period of April 1, 2010 to March 31, 2011 in the amount of \$146,241.

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

**RESOLUTION NO. 589-09: AUTHORIZATION TO AMEND RESOLUTION NO. 763-08, THE 2009 CONTRACT WITH ODYSSEUS ADAMIDES, MD TO PROVIDE PSYCHIATRIC SERVICES TO WAYNE BEHAVIORAL HEALTH NETWORK**

Ms. Park presented the following:

WHEREAS, Resolution No. 763-08 provides authorization to contract with Dr. Adamides to provide psychiatric service to Wayne Behavioral Health Network (WBHN) at a fee rate of \$130 per hour; and

WHEREAS, Dr. Adamides as of August 5, 2009 has additionally been assigned the role of serving as WBHN's Medical Director on an interim basis due to the unavailability of the current Medical Director; and

WHEREAS, this role also carries with it added responsibilities above and beyond the Staff Psychiatrist role; and

WHEREAS, the fee rate for Dr. Adamides to also serve as interim Medical Director in addition to Staff Psychiatrist is established to be \$150 per hour; now, therefore, be it

RESOLVED, that Resolution No. 763-08 is hereby authorized to be amended to reflect a fee rate of \$150 for Dr. Adamides to provide psychiatric services including serving as interim Medical Director for WBHN effective August 5, 2009, and the Chairman of Board is authorized to sign an amended contract as such, subject to county attorney review as to form and content.

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

Chairman Hoffman requested to have M. Josh McCrossen, Commissioner of the WC Department of Social Services and Thomas Warnick, Wayne County Treasurer, to address the Board to give a brief presentation regarding the one-time, \$200 grants that were distributed on August 12, 2009 to more than 800,000 children in low-income families across New York State for the purpose to help purchase school supplies.

Questions were entertained as to process of how the State selected these families to receive this grant; and on what authority are we authorized to release these funds.

The State authorized the families who receive public assistance or food stamps the ability to access this one-time Back-to-School Supplement of \$200 per school-aged child (ages 3

through 17).

Mrs. Bender moved, seconded by Mr. Plant that four (4) resolutions be allowed on the floor under other business. Motion carried.

**RESOLUTION NO. 590-09: AUTHORIZATION TO AWARD BID AND EXECUTE CONTRACT FOR MODIFICATIONS AND UPGRADES TO THE FIRE TRAINING CENTER'S BURN BUILDING**

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for sealed bids for Modifications and Upgrades to the Fire Training Center's Burn Building; and

WHEREAS, proposals were opened on Monday, August 3, 2009 – 1:30 p.m. and the following proposals were received:

Bidder and Address		Bid Amount
Bellows Construction Specialties 213 West Adams Street Syracuse, New York 13202	Base Bid	\$157,979.00
	Alt #1	\$ 64,000.00
	Alt #2	\$ 61,500.00
	Alt #3	\$ 48,500.00
Massa Construction 630 Pre-emption Road Geneva, NY 14456	Base Bid	\$112,400.00
	Alt #1	\$ 38,200.00
	Alt #2	\$ 48,000.00
	Alt #3	\$ 41,200.00

WHEREAS, the Public Works Committee; the County Attorney the Superintendent of Buildings and Grounds and SWBR Architects, have reviewed the bids and determined that Massa Construction was a non-responsive bidder and made the recommendation to reject said bid, now, therefore, be it

RESOLVED, that the bid submitted by Bellows Construction Specialties in the amount of \$157,979.00 is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Bellows Construction Specialties at a total cost not to exceed \$ 157,979.00; and further

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

**A1990-CONTINGENT FUND GEN:**

\$22,129.00 from .54000 Contractual Expense

**A3410-MUTUAL AID (FIRE COORDINATOR):**

\$22,129.00 to .54400 Contracted Services

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Plant.

Mr. Hammond addressed the Board and asked the Committee Chairman why this item was listed under other business and had to be acted upon today.

Mr. LeRoy responded that due to time constraints and the Board's bidding process, the resolution would need to be acted upon at this time.

Upon roll call, adopted.

**RESOLUTION NO. 591-09: AUTHORIZATION TO ACCEPT PROPOSAL FOR TEMPORARY STORAGE SPACE TO BE USED FOR EQUIPMENT AND RECORD STORAGE**

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for sealed proposals for temporary storage space to be used for equipment and record storage; and

WHEREAS, the Public Works Committee; the County Attorney and the Superintendent of Buildings and Grounds have reviewed the proposals and negotiated the terms of a lease agreement on the most desirable location now, therefore, be it

RESOLVED, that Wayne County shall enter into a lease agreement with Mr. Brian C. Whitney for approximately 5,500 s/f of space, located at 65 Clyde Rd. Lyons, NY, at a lease rate of \$1,625.00 monthly for a base term of 13 months, and month to month thereafter as needed, and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a lease agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Mr. Brian Whitney.

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

Mr. Hammond, again, addressed the Board and asked the Committee Chairman why this item was listed under other business and had to be acted upon today.

Mr. LeRoy responded that due to time constraints and the Board's bidding process, the resolution would need to be acted upon at this time.

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

**RESOLUTION NO. 592-09: AUTHORIZE APPLICATION TO THE NYS ENVIRONMENTAL PROTECTION FUND FOR THE FORMAN PARK EROSION CONTROL PROJECT**

Mr. Spickerman presented the following:

WHEREAS, Forman Park is the most popular park within the Wayne County Parks system, visited by thousands of residents and tourists every year and used for family reunions, community events, graduation parties, weddings, picnics and general recreational activities; and

WHEREAS, the Lake Ontario shoreline of Forman Park is suffering from severe erosion, which claimed a large amount of land and reduced the area of the park significantly over the past 30 years; and

WHEREAS, this situation is critical and must be addressed before more parkland is lost; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$600,000 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to Wayne County for the Forman Park Erosion Control Project; and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property, subject to approval as to form and content by the County Attorney.

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

Mr. Hammond addressed the Board and asked the Committee Chairman why this item was listed under other business and had to be acted upon today.

Mr. Spickerman responded that there was an application deadline date that the County would need to meet in order to apply for the funding of this project.

Upon roll call, adopted.

**RESOLUTION NO. 593-09: RESOLUTION ADJUSTING THE ADVERTISED STARTING**

**SALARY FOR COUNTY AUDITOR POSITION**

Mr. Lyon presented the following:

WHEREAS, Resolution No. 312-09 established the salary of the newly created position of County Auditor at \$55,000 per year; and

WHEREAS, the County has begun the recruiting process for said position receiving few qualified applicants during the eleven week initial recruitment period; and

WHEREAS, in light of the apparent recruiting difficulties, it is the recommendation of the County Administrator that the starting salary for this position be revised to up to \$65,000 per year; and

WHEREAS, sufficient resources exist in the budget for this position for the balance of 2009; now, therefore, be it

RESOLVED, that the starting salary of the County Auditor position be established up to \$65,000 per year.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mrs. Bender.

Mr. Hammond addressed the Board and asked the why this item was listed under other business and had to be acted upon today.

Upon roll call, all Supervisors voted Aye, except Supervisor Groat, who voted Nay. The Chairman declared the Resolution adopted.

**EXECUTIVE SESSION:** Ms. Park moved, seconded by Mr. Kelsch, that the Board go into Executive Session to discuss a personnel issue at 10:26 a.m. Upon roll call, carried.

**REGULAR SESSION:** Ms. Park moved, seconded by Mr. Kelsch that the Board resume regular session at 10:40 a.m. Carried.

Mrs. Bender moved, seconded by Mr. Plant that one (1) resolution be allowed on the floor under other business. Motion carried.

**RESOLUTION NO. 594-09: AUTHORIZATION TO ENTER INTO A SEVERANCE AGREEMENT WITH DR. ROYLE R. MIRALLES**

Mrs. Collier presented the following:

WHEREAS, the County of Wayne and Dr. Royle R. Miralles have mutually agreed to sever Dr. Royle R. Miralles's position as Staff Psychiatrist; and

WHEREAS, Dr. Royle R. Miralles will resign his employment with the County of Wayne; and

and WHEREAS, pursuant to this agreement Dr. Royle R. Miralles will be paid the value of his accrued annual leave in the amount of Ten Thousand Nine Hundred Thirty Four and 77/100 (\$10,934.77) and his salary up to the date of his resignation; and

WHEREAS, Daniel M. Wyner, County Attorney and Charles A. Dye, Human Resources Director have discussed the terms and conditions of the proposed agreement between the County of Wayne and Dr. Royle R. Miralles with the Board of Supervisors and have explained that said agreement contains a release and the waiver of various causes of action against the County of Wayne; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content which agreement will provide for Dr. Royle R. Miralles severance of employment with the County of Wayne together with a release to the County of Wayne a waiver of certain causes of action against the County of Wayne.

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

Mr. Fabino moved, seconded by Mr. Plant that one (1) resolution be allowed on the floor

under other business. Motion carried.

**RESOLUTION NO. 595-09: AUTHORIZATION TO ACCEPT GRANT FROM US DEPARTMENT OF JUSTICE FY09 RECOVERY ACT EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM LOCAL SOLICITATION IN THE AMOUNT OF \$25,334**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of \$25,334 for crime scene illumination equipment for the Sheriff's Office from the Office of Justice Assistance 03/01/2009 to 02/28/2013 Award No. 2009-SB-B9-2889; now therefore be it

RESOLVED, that the grant in the amount of \$25,334.00 is accepted for general operation and program costs; and be it further

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

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

**Account No. 3115 Detective Unit**

\$25,334 to .52500 Other Equipment

\$25,334 to .44328 DOJ LLEBEG

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

**ANNOUNCEMENT:**

Chairman Hoffman announced that Compliance Training for Board Members would be held in the first floor conference room immediately following this board meeting.

**ADJOURNMENT:**

The next scheduled meeting of the Board is Tuesday, September 15, 2009 at 7:00 p.m.

Mr. Colacino moved, seconded by Ms. Park, that the board adjourn at 10:45 a.m. Carried.

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

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