

13th Day  
 Tuesday, October 16, 2007  
 9:00 a.m.

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

Upon roll call, all Supervisors were present, except Supervisor Colvin who was absent. The board members responded by introducing their "4-H Supervisor for a Day".

Arcadia.....	Emma Andrew	Ontario.....	Andy Kittleson
Butler.....	Nicholas Petty	Rose.....	Edward Facer
Galen.....	Bethany Reinhardt	Sodus.....	Jacob Fisher
Huron.....	Veronica Collier	Walworth.....	Marielle Savoie
Lyons.....	Victoria Barner	Williamson.....	Amanda Grevell
Macedon.....	Joseph Lubanski	Wolcott.....	Logan Lieberman
Marion.....	Laura Lange		

County Attorney Daniel Wyner and Interim-County Administrator Keith Kubasik were also present.

**APPROVAL OF MINUTES:**

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

**SUMMARY OF CLAIMS BY COMMITTEE:**

<b>Committee 2</b>	<b>Supervisors, Personnel and Salary</b>	
A10104	Legislative Board	8,235.94
A10404	Clerk Legislative Board	139.66
A14304	Personnel Department	315.07
A16704	Undistributed Meter Postage	1,689.00
A16724	Court House Xerox	<u>378.71</u>
		<b>\$ 10,758.38</b>
<b>Committee 3</b>	<b>Assessment and Insurance</b>	
A13552	Assessment - Real Property Tax	
A13554	Assessment - Real Property Tax	19,089.61
A14314	Cafeteria Plan	<u>657.48</u>
		<b>\$ 19,747.09</b>
<b>Committee 4</b>	<b>Judicial</b>	
A11652	District Attorney	
A11654	District Attorney	6,742.16
A11674	Crime Victims Board Grant	110.08
A11704	Public Defender	1,969.45
A11724	Legal Defense of Indigents	36,912.40
A11734	Wayne Pre-Trial Services, Inc.	8,869.92
A11854	Coroner	883.00
A11904	Grand Jury	738.67
A31174	Animal Abuse Investigations	140.00
A31402	Probation	896.40
A31402	Probation	<u>5,776.13</u>
		<b>\$ 63,038.21</b>
<b>Committee 5</b>	<b>Buildings, Grounds and Parks</b>	
A16150	Building & Grounds	30.00
A16152	Building & Grounds	344.48
A16154	Building & Grounds	109,462.11

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	H19152	Parks Project	1,748.50
	H19332	Building Renovation Project	2,532.03
	H19392	Route 31 Complex	1,800.00
	H49012	NYSDOL/WFD Buildout Health Bldg	<u>32,479.11</u>
			<b>\$148,396.23</b>
<b>Committee 6</b>		<b>County Clerk, Elections and Veterans</b>	
	A14104	County Clerk	1,354.13
	A14504	Board of Elections	9,467.41
	A65104	Veteran Services	<u>1,330.15</u>
			<b>\$12,151.69</b>
<b>Committee 7</b>		<b>Highway</b>	
	A16404	Central Garage	16,271.96
	D50104	Highway Administration	139.45
	D51104	Maintenance of Roads & Bridges	90,541.80
	D51114	Road Striping & Sign Maint	16,358.44
	D51122	Road Construction	289,641.89
	DM51302	Road Machinery	39,986.00
	DM51304	Road Machinery	<u>81,057.71</u>
			<b>\$533,997.25</b>
<b>Committee 8</b>		<b>Social Services</b>	
	A60102	Administration	
	A60104	Administration	59,500.95
	A60704	Purchase of Services	3,000.00
	A61094	Family Assistance	320.00
	A61234	Juv Delinquent Care	6,120.58
	A61294	State Training School	207,085.78
	A61404	Safety Net	880.00
	A62124	WFD/DSS Intensive Employment	389.90
	A62144	Economic Opportunity & Develop	87.99
	A62944	WIA Dislocated	64.94
	A62964	TANF Summer	1,137.69
	E60002	NH Combined	5,503.72
	E60004	NH Combined	<u>239,712.42</u>
			<b>\$ 523,803.97</b>
<b>Committee 9</b>		<b>Historical and Education</b>	
	A24904	Community College	1,892.60
	A75104	County Historian	<u>225.87</u>
			<b>\$2,118.47</b>
<b>Committee 10</b>		<b>Finance</b>	
	A13254	Treasurer	5,417.59
	A16724	Printing Department	1,063.31
	A16802	Information Technology	6,448.65
	A16804	Information Technology	10,558.18
	H19082	FMS System Update	500.00
	MS17104	Administrative Fees	20,440.96
	MS90554	Disability	3,900.00
	S17104	Workmen's Comp	<u>22,250.00</u>
			<b>\$70,578.69</b>
<b>Committee 11</b>		<b>Public Health</b>	
	A40102	Public Health	566.00
	A40104	Public Health	7,002.99
	A40114	Public Health Service	37,547.63
	A40164	PH - Early Intervention 0-1	116,377.03
	A40174	PH - Child w/Spec Needs 3-5	390,438.60
	A40184	Public Health Education	5,665.69

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	A40194	Wayne Community Nursing Care	20,170.18
	A40204	PH - EMS Coordinator	189.63
	A43002	Behavioral Health	84,910.85
	A43224	Community Providers	<u>278,711.00</u>
			<b>\$941,579.60</b>
<b>Committee 12</b>	<b>Planning</b>		
	A56324	Bus Operations	9,594.45
	A63264	Economic Development Admin	151,225.00
	A64102	Publicity (Tourism)	375.00
	A64104	Publicity (Tourism)	6,375.36
	A64114	Tourism Matching Funds Program	9,341.21
	A80204	Planning Board	1,585.89
	A81604	Solid Waste Management	242,342.75
	H19582	Fairgrounds Livestock Barn	<u>13,085.00</u>
			<b>\$ 433,924.66</b>
<b>Committee 13</b>	<b>Public Safety</b>		
	A31104	Sheriff	7,349.17
	A31114	Sheriff - Recreational Safety	2,360.33
	A31124	Sheriff - Civil Office	66.40
	A31134	Sheriff - Juvenile Office	6,628.00
	A31142	Sheriff - Road Patrol	22,840.41
	A31144	Sheriff - Road Patrol	14,212.10
	A31154	Sheriff - Detective Unit	4,067.35
	A31164	Sheriff – Court Security	457.79
	A31502	Sheriff - Jail	19,376.00
	A31504	Sheriff – Jail	34,432.28
	A33152	Stop DWI	6,912.00
	A33154	Stop DWI	4,363.63
	A34104	Mutual Aid (Fire Coordinator)	2,672.47
	A36404	Emergency Management Office	518.90
	A36424	E911 Communications	14,975.93
	A36444	ALS Services	3,637.96
	A66104	Consumer Affairs (W&M)	180.00
	H19352	Enhance911Emergency Telephone	<u>28,768.78</u>
			<b>\$ 173,819.50</b>
<b>Committee 14</b>	<b>Agriculture, Aging, Youth and Recreation</b>		
	A67724	Area Agency on Aging	58,169.34
	A73104	Youth Bureau	28,538.94
	A73114	Youth Program - Recreation	1,123.36
	A87304	Soil Conservation	21,205.49
	A87544	County Extension Serv	<u>106,161.75</u>
			<b>\$215,198.88</b>
		<b>Warrant Total</b>	<b>\$3,149,112.62</b>
		<b>During the Month Utilities</b>	<b>\$ 100,441.77</b>

Mr. Plant moved, seconded by Mr. Jenkins, 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 September 2007 in the amount of \$14,784.05 was received and filed.

A letter was received from the Senator Michael F. Nozzolio, for acknowledging receipt of Resolution No. 581-07:

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Authorization to Notify State Authorities of Urgent Cash-Flow Needs of the Wayne County Nursing Home

A Petition and Notice of Foreclosure for 2006 Delinquent Town and County Taxes from the Wayne County Clerk's Office was received and filed.

A copy of a Resolution was received from the Westchester County Legislators supporting the Medicaid County Protection Act of 2007.

A copy of a Resolution was received from the Yates County Legislators regarding the endorsement of appointment of Ms. Colleen M. Combs and Dr. Barbara G. Risser to the Finger Lakes Workforce Investment Board.

Copies of certified resolutions were received from the Ontario County Board of Supervisors regarding the appointments of Ms. Colleen M. Combs and Dr. Barbara G. Risser to the Finger Lakes Workforce Investment Board.

A copy of the Veterans Administration Community Council Meeting Minutes, dated September 12, 2007, were received and filed.

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

Letters were received from Ross Marshall, resident from the Town of Rose; Larry Ann Evans, Executive Director of the Museum of Wayne County History; and Vicky Daly, Mayor for the Village of Palmyra, to voice strong support for the preservation of the old bakery building located at 24 Church Street, Lyons (the Former Wayne County Print Shop).

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

**PROCLAMATIONS:**

*4-H Supervisor for a Day*, Jacob Fisher from the Town of Sodus, on behalf of the Board, read the Proclamation entitled "*Winter Weather Awareness Week in Wayne County – October 28 – November 3, 2007*".

**ANNUAL REPORTS:**

Finger Lakes Health Systems Agency

Mr. Jenkins moved, seconded by Mrs. Bender, that the annual report be received and filed. Upon roll call, carried.

Supervisor Park, Chairperson of the Public Health Committee, introduced James Haitz, Director of the Community Mental Health Department and Patty McKinney, Program Supervisor of the Continuing Day-Treatment Program.

Ms. Park, on behalf of the Board, took this opportunity to congratulate Mr. Haitz and his staff on their achievement on receiving an award presented to them from the New York State Office of Mental Health for the Wayne Behavioral Health Continuing Day-Treatment Program.

Chairman Hoffman introduced Corrine Kleisle, Mayor for the Village of Lyons and Larry Ann Evans, Executive Director of the Museum of Wayne County History to the Board Meeting.

Mayor Kleisle and Ms. Evans addressed the board with their opposition to the county's intent to advertise for bids to demolish the County Building located at 24 Church Street, in the Village of Lyons, the former County Print Shop building. They voiced strong support for the preservation of the old bakery building and asked for the Board to consider the options of selling the building instead of the proposed demolition.

Mayor Kleisle submitted letters and petitions from many Wayne County residents and surrounding counties, as well, for the preservation of the old bakery building.

Chairman Hoffman moved, seconded by Mr. Fabino, that said documents be received and filed with the Clerk of the Board. Upon roll call, carried.

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

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**RESOLUTION NO. 618-07: AUTHORIZATION TO REMOVE AND REAPPOINT YOUTH BOARD MEMBERS**

Mr. Molino presented the following:

WHEREAS, Lonna Jesse, Town of Ontario representative requests to be removed as a member of the Wayne County Youth Board due to change in circumstances; and

WHEREAS, the Chairman of the Board of Supervisors has recommended the re-appointment of the following people to the Wayne County Youth Board, subject to the confirmation of such appointments by the Board of Supervisors:

Samantha DeSando  
Youth Representative  
7205 Maxison Rd.  
Lyons, NY 14489

Aaron DeVries  
Youth Representative  
5012 Pilgrim Rd.  
Sodus, NY 14551

now, therefore, be it

RESOLVED, that the re-appointment of Samantha DeSando and Aaron DeVries, Youth Representatives for Wayne County, as members of the Wayne County Youth Board, are hereby confirmed.

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

**RESOLUTION NO. 619-07: AUTHORIZATION TO PURCHASE OFFICE EQUIPMENT TRANSFER FUNDS FOR DEPARTMENT OF AGING AND YOUTH**

Mr. Molino presented the following:

WHEREAS, the Department of Aging and Youth's Principal Account Clerk is in need of a larger filing cabinet; now, therefore, be it

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

**Account No. A6772 – Department of Aging and Youth**

\$50.31 from .54456 (Printing) to .52201 (Computer Equipment)

and be it further

RESOLVED, that the Director for the Department of Aging and Youth is hereby authorized to purchase one - 4 drawer legal file cabinet from Staples Office Supply for \$264.

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

**RESOLUTION NO. 620-07: AUTHORIZATION TO EXECUTE AGREEMENT WITH THE STATE OF NEW YORK FOR THE LOCAL ENHANCED WIRELESS 911 PROGRAM AND AMEND APPROPRIATE PROJECT ACCOUNT FUNDING**

Mrs. Bender presented the following:

WHEREAS, the State of New York, in the current budget year, has allocated funding for the Local Enhanced Wireless 911 Program, which can reimburse the costs for certain expenditures undertaken by eligible counties; and

WHEREAS, through this program, the County of Wayne has been approved to receive \$53,527 in reimbursement funding for eligible expenses incurred through March 31, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a Letter of Agreement with the State of New York, relative to the intent to participate in the Local Enhanced Wireless 911 Program for the current allocation; and be it further

RESOLVED, that the Enhanced 911 Emergency Telephone project account, Account No. H1935 shall be amended as follows:

Appropriation Account H1935.43395 (Wireless 911 Grant Program) shall be increased by

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\$53,527

Revenue Account H1935.52000 (Equipment and Other Capital Outlay) shall be increased by \$53,527

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

**RESOLUTION NO. 621-07: AUTHORIZATION TO PURCHASE SOFTWARE ENHANCEMENT FOR E-911 COMMUNICATIONS**

Mrs. Bender presented the following:

WHEREAS, PST Technologies, the mobile computing software vendor used by the County, has developed three software enhancements related to limiting personnel or units who can receive call for service information contained in the 911 system, and various other messaging enhancements, and

WHEREAS, these are enhancements designed specifically for our current systems, and at the request of current users, to be programmed by the vendors whose systems are already in place in 911; now, therefore, be it

RESOLVED, that the 911 Coordinator shall be authorized to purchase the above mentioned software enhancement from PST Technologies, Inc., at a cost not to exceed \$5,000.

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

**RESOLUTION NO. 622-07: AUTHORIZATION TO DECLARE EQUIPMENT SURPLUS FOR STOP DWI OFFICE**

Mrs. Bender presented the following:

RESOLVED, that the Stop DWI Office hereby declares the following used equipment surplus and the Superintendent of Buildings and Grounds is hereby authorized to dispose of said equipment, in accordance with County policy:

Kustom KR-10 Radar	Serial # EE9150 antenna # CC9565/CC9870
Kustom KR-10 Radar	Serial # BB8931 antenna # CC8875
Kustom KR-10 Radar	Serial # EE6880 antenna # CC12263
Kustom KR-10 Radar	Serial # EE17111 antenna # CC16589
Kustom KR-10 Radar	Serial # EE2244 antenna # CC2547
Kustom KR-10 Radar	Serial # BB6972 antenna # CC6700
Kustom KR-10 Radar	Serial # BB9038 antenna # CC9021
Kustom KR-10 Radar	Serial # EE9144 antenna # CC9871
Kustom KR-10 Radar	Serial # EE37803 antenna # CC38725
Kustom KR-10 Radar	Serial # EE6161 antenna # CC6865
Kustom KR-10 Radar	Serial # BB7250 antenna # CC6988
Kustom KR-10 Radar	Serial # EE2232 antenna # CC2411
Kustom KR-10 Radar	Serial # EE6178 antenna # CC6900
Kustom KR-10 Radar	Serial # BB7276 antenna # CC6895
Kustom KR-10 Radar	Serial # BB9198 antenna # CC8512
Kustom KR-10 Radar	Serial # HH2200 antenna # CC2542/CC8497
Kustom KR-10 Radar	Serial # EE6175 antenna # CC6871
Kustom KR-10 Radar	Serial # EE11621 antenna # CC12173
Kustom KR-10 Radar	Serial # EE9938 antenna # CC9861
Kustom Falcon Radar	Serial # FF5248
Kustom Hawk Radar	Serial # HH1330 antenna #CC12227/CC16383
Kustom Hawk Radar	Serial # HH0533 antenna #CC9867/CC9865
Kustom Dual Eagle Radar	Serial # E8310 antenna #EM14236/EM14237
Draeger 900A Breathalyzer	Serial # 8805125-001
Smith & Wesson 900A Breathalyzer	Serial # 93790
Smith & Wesson 900A Breathalyzer	Serial # 982288
Smith & Wesson 900A Breathalyzer	Serial # 93984

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Smith & Wesson 900A Breathalyzer                      Serial # 93991  
Smith & Wesson 900A Breathalyzer                      Serial # 93783

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

**RESOLUTION NO. 623-07: AUTHORIZATION TO PURCHASE MOBILE TWO-WAY RADIOS AND AMEND 2007 BUDGET FOR EMERGENCY MANAGEMENT OFFICE**

Mrs. Bender presented the following:

WHEREAS, the High Band VHF Radio in the Director of Emergency Management's vehicle is no longer manufactured and is inoperable, and the estimate to evaluate for repair exceeds \$200.00; and

WHEREAS, the Low Band VHF Radio in the Director of Emergency Management's vehicle is 20 to 25 years old, and no longer supported for repairs and is mounted underneath the current inoperable High Band VHF radio; and

WHEREAS, the Director of Emergency Management requires both low band and high band communications to communicate with emergency agencies during a time of crisis or emergency; now, therefore, be it

RESOLVED, that the Director of Emergency Management is hereby authorized to purchase mobile two way radios and associated installation after obtaining best competitive pricing from Finger Lakes Communications, Furman Communications, or others as necessary, at a total cost not to exceed \$1,500; and be it further

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

**Account No. 3640 - Emergency Management Office**

\$1,500 from Account No. 54600 (Misc.)

\$ 396 to Account No. 54425 (Equipment – Maint & Repair)

\$1,174 to Account No. 52500 (Other Equipment)

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

**RESOLUTION NO. 624-07: AUTHORIZATION TO EXECUTE GRANT APPLICATION AND CONTRACT WITH THE NYS OFFICE OF HOMELAND SECURITY TO PURCHASE A CRISIS INFORMATION MANAGEMENT SYSTEM**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Emergency Management Office has received a grant in the amount of \$158,000 from the New York State Office of Homeland Security for the FY07 State Homeland Security Program for which no local match is required; and

WHEREAS, the purpose of this grant is allow the Wayne County Emergency Management Office to enhance the level of security and service that it currently provides to the citizens of Wayne County during a time of emergency; and

WHEREAS, the Wayne County Emergency Management Office intends to purchase a Crisis Information Management System to improve its ability to provide security and service to the citizens of Wayne County; now, therefore, be it

RESOLVED, that the Director of Emergency Management and the Emergency Management Office Training Officer are hereby authorized to submit a grant application, to be signed by the Chairman of the Board of Supervisors as necessary, for the FY07 State Homeland Security Program; and be it further

RESOLVED, that revenue line item A36400.43302 Homeland Security is hereby increased in the amount of \$158,000 and the Director of Emergency Management is hereby authorized to purchase said equipment, training and supplies for the Crisis Information Management System.

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

**RESOLUTION NO. 625-07: AUTHORIZATION TO ACCEPT FEDERAL HIGHWAY**

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**ADMINISTRATION APPROPRIATION FOR RESTORATION OF THE HOTCHKISS BUILDING AND ESTABLISH PROJECT**

Mr. Spickerman presented the following:

WHEREAS, Resolution No. 511-07 accepted a \$480,000 federal SAFETEA-LU appropriation for restoration of the Hotchkiss Building; and

WHEREAS, a Master Federal Aid Agreement has been issued by the NYSDOT that will commit \$117,600 in federal aid and \$29,400 in local contribution for the design phase of the project with supplemental agreements to be issued committing the remaining appropriation and local contribution; and

WHEREAS, the County's local contributions will come from other grant sources already committed to the project; and

WHEREAS, NYSDOT requires that the Resolution No. 511-07 be amended to reflect the actual value of the current Master Federal Aid Agreement with future resolutions authorizing said supplemental agreements; now, therefore, be it

RESOLVED, that Resolution 511-07 is hereby amended to authorize the Chairman of the Board to execute a Master Federal Aid Agreement in the amount of \$147,000, reflecting the amount budgeted for the design phase of the project; and be it further

RESOLVED, that the Chairman of the Board is hereby authorized and directed to execute the above referenced Master Federal Aid Agreement, subject to approval as to form and content by the County Attorney.

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

**RESOLUTION NO. 626-07: AUTHORIZATION FOR WAYNE BEHAVIORAL HEALTH NETWORK TO CONTRACT WITH LOCUMS TENENS CONTRACT AGENCY FOR CHILD PSYCHIATRY SERVICES**

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network is in need of additional psychiatry time; and

WHEREAS, Wayne County meets the national criteria of a Federally-designed Psychiatric Professional Shortage Area; and

WHEREAS, Locums Tenens psychiatry time compensation rates are comparable with WBHN established reimbursement rates for contract psychiatrists; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of WBHN of the County of Wayne, subject to the County Attorney's approval as to form and content, with a Locums Tenens Agency (to be defined by the Director of Mental Health) for the period October 17, 2007 through December 31, 2008 at a cost not to exceed \$175 per hour.

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

**RESOLUTION NO. 627-07: AUTHORIZATION TO DECLARE VEHICLE & EQUIPMENT SURPLUS FROM DEPARTMENT OF MENTAL HEALTH - WAYNE BEHAVIORAL HEALTH NETWORK**

Ms. Park presented the following:

RESOLVED, that the following vehicles and equipment are no longer able to be used by Wayne Behavioral Health Network and are hereby declared surplus and the vehicles will be relocated to the Central Garage in accordance with Vehicle Surplus Disposition Procedure outlined in Resolution 375-91:

Vehicle # 67-101	1995 Pontiac Grand AM	VIN # 1G2NE55D9SC842812
Vehicle # 67-106	1995 Pontiac Grand AM	VIN # 1G2NE55D9SC842597
Vehicle # 67-107	1996 Chevy Cavalier	VIN # 1G1JC5249T7214577
Vehicle # 67-114	1995 Pontiac Grand AM	VIN # 1G2NE55D4SC842698
Vehicle # 67-117	1995 Dodge Van (Blue)	VIN # 2B4HB15X6SK541223

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Vehicle # 67-119 1999 Plymouth Mini Van

VIN # 2P4GP25R6XR352203

Miscellaneous Equipment

1 - Brother Fax Machine 560	2 - XD 4900 Series Electric Typewriters
1 - Brother Fax Machine 1270e	1 - Foosball Table
4 - Panasonic Dictaphones	1 - RCA 24" Television
1 - DuoPhone Answering Machine	1 - Canon Photocopier
1 - Toshiba Satellite Pro Laptop	2 - 48" Double Florescent Ceiling Light
1 - Xerox Printer	1 - Stereo Turntable
1 - Lexmark Printer	1 - 60" Clothes Closet
1 - Samsung Fax	

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

**RESOLUTION NO. 628-07: AUTHORIZATION TO EXECUTE CONTRACT WITH JOHN KELLEY FOR EARLY INTERVENTION SERVICES FOR CHILDREN WITH HANDICAPPING CONDITIONS**

Ms. Park presented the following:

WHEREAS, the County must contract for the provision of Early Intervention services for children ages 0–2 with handicapping conditions; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract subject to the county attorney's approval, for the contract period of 10/1/07 to 6/30/09, with John Kelley, Occupational Therapist, to provide these services at a rate set by the NYS Department of Health as follows:

\$69 for a basic visit

\$97 for an extended visit

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

**RESOLUTION NO. 629-07: AUTHORIZATION TO EXECUTE CONTRACT WITH JOHN KELLEY 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; 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 contract with John Kelley, Occupational Therapist, at a rate of \$55 per half hour session, for the contract period 10/1/07 to 6/30/09, in accordance with the rates approved by the Public Health Committee of the Board of Supervisors.

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

**RESOLUTION NO. 630-07: AUTHORIZATION TO REAPPOINT MEMBER TO THE WAYNE COUNTY HEALTH SERVICES ADVISORY BOARD**

Ms. Park presented the following:

WHEREAS, the term has expired for Tom Yale for membership to the Wayne County Health Services Advisory Board; and

WHEREAS, Mr. Yale has agreed to serve a second term on the Health Services Advisory Board, now, therefore, be it

RESOLVED, that Tom Yale is hereby approved to serve a second term of office expiring 12/31/09.

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

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**RESOLUTION NO. 631-07: AUTHORIZATION TO AMEND RES. NO. 400-07: AUTHORIZATION TO CONTRACT WITH WAYNE FINGER LAKES BOCES FOR TRANSPORTATION**

Ms. Park presented the following:

WHEREAS, the County is required to provide transportation for children in the Early Intervention programs and currently has a contract with Wayne Finger Lakes BOCES; and

WHEREAS, the reason for the modification is the need for a full-time aide, Monday through Friday, to attend to the child's need while in the class room; and

WHEREAS, the daily cost of the modification is \$57.26; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an amendment to the contract with WFL BOCES to include a full-time aide, Monday through Friday, to attend to the child's need while in the class room effective, September 5, 2007.

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

**RESOLUTION NO. 632-07: AUTHORIZATION TO EXECUTE CONTRACT WITH STEP BY STEP DEVELOPMENTAL SERVICES, INC. FOR RELATED SERVICES**

Ms. Park presented the following:

WHEREAS, the County is required to contract for approved special education services or programs pursuant to Section 4410 of the Education Law, now, therefore is it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract with Step By Step Developmental Services, Inc. to provide a teacher of the visually impaired service at a rate of \$55/half hour session for related services in the 3 – 5 program for the period 10/1/07/ - 9/30/09 with the county attorney's approval as to form and content.

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

**RESOLUTION NO. 633-07: AUTHORIZATION TO FOR WAYNE COUNTY TO CONTINUE TO SUPPORT FINGER LAKES HEALTH SYSTEMS AGENCY**

Ms. Park presented the following:

WHEREAS, Wayne County Public Health has supported the Finger Lakes Health Systems Agency since 1985; and

WHEREAS, the Finger Lakes Health Systems Agency has provided to the County and the eight other counties that make up the region, services that include conducting population-based health status, utilization and health system capacity analysis, advocating for accessible, affordable, quality healthcare for the regional population and responding to emerging community issues identified by FLHSA or in response to requests from community partners; now, therefore, be it

RESOLVED, that the Public Health Department, on behalf of Wayne County, continue to provide support to Finger Lakes Health System Agency in the amount of \$11,721.00 for the fiscal year 2008.

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

**RESOLUTION NO. 634-07: AUTHORIZATION TO CHANGE FLU/PNEUMOVAX RATES FOR PUBLIC HEALTH AND AMEND THE 2007 SLIDING FEE SCALE**

Ms. Park presented the following:

WHEREAS, it has been recommended by Venesky Associates that the rate for flu and pneumonia vaccinations be adjusted due to a review of cost involved for providing vaccination services; and

WHEREAS, the sliding fee scale for this service needs to be amended to reflect the

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adjustment effective 10/1/07; now, therefore, be it

RESOLVED, that the new rate for flu and pneumovax be adjusted as follows:

Flu \$32 (\$19 admin & \$13 vaccine)

Pneumovax \$48 (\$19 admin & \$29 vaccine)

and be it further

RESOLVED, that the Director of Wayne County Public Health is hereby authorized and directed to amend the sliding fee scale to reflect said rate for flu and pneumonia vaccinations.

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

**RESOLUTION NO. 635-07: AUTHORIZATION TO CONTRACT FOR BILINGUAL SERVICES FOR WAYNE COUNTY PUBLIC HEALTH**

Ms. Park presented the following:

WHEREAS, Wayne County Public Health is in need of a Spanish-speaking individual to translate for a number of Public Health services (e.g., CHHA, Early Intervention, MOMS, Maternal Child Health, Migrant Health program, TB); and

WHEREAS, Wayne County Public Health Department currently employs a bilingual Community Health Worker for the Migrant Program; and

WHEREAS, the need for this service for other departmental programs has exceeded the CHW capabilities; and

WHEREAS, the Translator will work not more than eight hours a week at a rate of \$15/hr not to exceed \$6,000.00 per year; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with Mark Hilton on behalf of the County of Wayne for the period November 1, 2007 to January 1, 2009.

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

**RESOLUTION NO. 636-07: TRANSFER OF FUNDS FOR VARIOUS COUNTY DEPARTMENTS**

Mr. Lyon presented the following:

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

**Sheriff's Office**

\$9,300 from Account No. A3170.54435 (Other Correctional Inmate Expense)

\$2,800 to Account No. A31134.54114 (Juvenile Car Expense)

\$6,500 to Account No. A31504.54408 (Jail Copier Expense)

\$83,000 to Account No. A31500.41526 (Inmate Housing Revenue)

\$83,000 to Account No. A31501.51904 (Jail Overtime)

\$4,500 to Account No. A31161.51904 (Court Security Overtime)

\$4,500 to Account No. A31160.43312 (Court Security Services-Revenues)

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

**RESOLUTION NO. 637-07: BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

Mr. Lyon presented the following:

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

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SECTION 1. Section 4-A of Resolution No. 150, enacted by the Board of Supervisors of the County of Wayne on November 15, 1967, imposing sales and compensating use taxes, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.  
Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning March 1, 2004, and ending November 30, 2009. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (c) of subdivision (1) of section 11 of Resolution No. 150, enacted by the Board of Supervisors of the County of Wayne on November 15, 1967, imposing sales and use taxes, as amended, is amended to read as follows:

(c) With respect to the additional tax of one percent imposed for the period beginning March 1, 2004, and ending November 30, 2009, in respect to the use of property used by the purchaser in this county prior to March 1, 2004.

SECTION 3. Subdivision (d) of section 14 of Resolution No. 150, enacted by the Board of Supervisors of the County of Wayne on November 15, 1967, imposing sales and use taxes, as amended, is amended to read as follows:

(d) One hundred percent of net collections from the additional one percent rate of tax, imposed for the period beginning March 1, 2004, and ending November 30, 2009, is set aside for County purposes and shall be available for any County purpose.

SECTION 4. This enactment shall take effect December 1, 2007.

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

**RESOLUTION NO. 638-07: AUTHORIZATION TO PURCHASE EQUIPMENT AND FURNISHINGS FOR CERTAIN COUNTY DEPARTMENTS**

Mr. Lyon presented the following:

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

**Director of Aging and Youth**

07000726	3 - Desktop Computers	\$ 635	\$ 1,905
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**Commissioner of Social Services**

07000724	48 – Dell 19" Computer Monitors	\$ 195	\$ 9,312
	2 - RAM 2 GB Memory	150	300
	29 – PC's	764	22,156
	30 – Adobe software	200	6,000
	1 – Legal Size fax machine	800	800

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

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adopted.

**RESOLUTION NO. 639-07: AUTHORIZATION TO TRANSFER OF FUNDS FROM CONTINGENCY ACCOUNT FOR SETTLEMENT OF CLAIMS**

Mr. Lyon presented the following:

RESOLVED, the Wayne County Treasurer is hereby authorized to transfer the sum of Forty Thousand Dollars (\$40,000) to Settlement and Claims Account No. A1930.54000 Contractual Expense from the Contingency Account A1990.54000 Contractual Expense.

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

**RESOLUTION NO. 640-07: AUTHORIZATION TO PURCHASE EQUIPMENT AND TRANSFER FUNDS FOR INFORMATION TECHNOLOGY DEPARTMENT**

Mr. Lyon presented the following:

WHEREAS, replacement switches are needed in various buildings such as the Wayne County Court House, County Clerk and Board of Elections; and

WHEREAS, there is a need to purchase a small desktop scanner to be used for scanning hi-resolution images on to the network; now, therefore, be it

RESOLVED, that the Director of Information Technology is hereby authorized to purchase the following equipment:

7000730	3 - Switches	\$5,664.78
7000731	1 - Scanner	\$ 109.72

and be it further

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

Account No. A16804 – Information Technology

\$6,500 from .54475 (Software) to A16802.52201 (Equipment)

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

**RESOLUTION NO. 641-07: AUTHORIZATION TO AMEND BUDGET FOR WAYNE COUNTY HISTORIAN**

Mrs. Collier presented the following:

WHEREAS, the County Historian has received confirmation that they will be receiving a grant of \$8,000 from the "Preserve New York Grant Program"; and

WHEREAS, an amendment is needed to the 2007 Budget for the Wayne County Historian to reflect an additional \$8,000 received for said grant; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to execute any documentation pertaining to this 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 County Treasurer is hereby authorized and directed to make the following amendments:

Account No. A7510 – County Historian

Increase Revenues:

.43709 (Revenue) by \$8,000

Increase Appropriations:

.54476 (Preserve NY Grant) by \$8,000

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

**RESOLUTION NO. 642-07: WAYNE COUNTY AUTHORIZATION TO APPOINT MEMBERS TO WORKFORCE INVESTMENT BOARD**

Mr. Plant presented the following:

WHEREAS, this Legislature, has authorized the creation of the Finger Lakes Workforce

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Investment Board for the Counties of Yates, Ontario, Seneca and Wayne in compliance with the Workforce Investment Act (WIA) of 1998; and

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

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

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

Colleen M. Combs  
RN/President AFG3306  
Department of Veterans' Affairs  
400 Fort Hill Ave, Bldg 4A  
Canandaigua, NY 14424  
Term of Office ending June 30, 2010

Barbara J. Egenhofer, Garlock Sealing Technologies  
Vice President, Human Resources  
1666 Division Street  
Palmyra, NY 14522  
Term of Office ending June 30, 2010

and be it further

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

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

**RESOLUTION NO. 643-07: AUTHORIZATION TO CREATE AND FILL COMPUTER SERVICES ASSISTANT POSITION AT THE DEPARTMENT OF SOCIAL SERVICES**

Mr. Plant presented the following:

RESOLVED, that one (1) Computer Services Assistant position is hereby created at the Department of Social Services; and be it further

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to and fill one (1) Computer Services Assistant position at the Department of Social Services.

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

**RESOLUTION NO. 644-07: AUTHORIZING CONTRACT FOR NEW YORK STATE NURSING HOME QUALITY IMPROVEMENT DEMONSTRATION PROGRAM FOR THE WAYNE COUNTY NURSING HOME**

Mr. Plant presented the following:

WHEREAS, the Wayne County Nursing Home has been advised by the New York State Department of Health that an additional grant award is available under the New York State Nursing Home Quality Improvement Demonstration Program; and

WHEREAS, Resolution #264-07 authorized a contract between the Nursing Home and the Department of Health for the period July 1, 2005 and December 31, 2006; and

WHEREAS, the Nursing Home was informed that the Department of Health is extending this contract to include the period January 1, 2007 through June 30, 2007; and

WHEREAS, there is an additional \$15,964 available to the Nursing Home from the Department of Health for use to cover expenses to provide quality care and recruit a highly trained workforce during the above stated period; and

WHEREAS, the Wayne County Nursing Home is desirous to amend the contract with the

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New York State Department of Health to extend the contract through June 30, 2007 to request the additional funds available; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute the amendment to the agreement subject to the County Attorney's approval as to form and content, extending this contract to include the period January 1, 2007 through June 30, 2007.

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

**RESOLUTION NO. 645-08: AUTHORIZATION TO AMEND RESOLUTION NO. 335-07: AUTHORIZING CONTRACT FOR PROFESSIONAL SERVICES FOR THE WAYNE COUNTY NURSING HOME**

Mr. Plant presented the following:

WHEREAS, the Wayne County Nursing Home has expended the contracted amount for the compliance program services by The Bonadio Group; and

WHEREAS, additional funds of \$3,000 are required to conduct the training and maintaining the compliance program to December 31, 2007 in accordance with the Deficit Reduction Act of 2005 (DRA); now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to amend the original contract on behalf of the Wayne County Nursing Home, subject to the County Attorney's approval as to form and content, with The Bonadio Group to include the above-mentioned fees for the remainder of 2007.

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

**RESOLUTION NO. 646-07: AUTHORIZATION TO CONTRACT WITH TERRY COTTON FOR REIMBURSEMENT CONSULTANT SERVICES FOR THE WAYNE COUNTY NURSING HOME**

Mr. Plant presented the following:

WHEREAS, Terry Cotton, 1235 Hunters Run, Victor, NY 14564 has provided technical advice regarding nursing home reimbursement; and

WHEREAS, services will be needed through the end of the contract to analyze reimbursement methodology changes implemented by State and Federal agencies; and

WHEREAS, these services include assistance in preparations of rate appeals; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisor's be authorized and directed to execute an agreement to the contract on behalf of the Wayne County Nursing Home, subject to the County Attorney's approval as to form and content, with Terry Cotton, for consultant services for the Wayne County Nursing Home, for the period January 1, 2008 – December 31, 2008 at a cost not to exceed \$17,500 calculated at \$100.00 per hour plus out of pocket expenses.

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

**RESOLUTION NO. 647-07: AUTHORIZATION TO ADVERTISE FOR AND FILL THE DIRECTOR OF NURSING POSITION AT THE WAYNE COUNTY NURSING HOME**

Mr. Plant presented the following:

WHEREAS, the Wayne County Nursing Home is required to have a Director of Nursing; and

WHEREAS, the current Director of Nursing will be retiring after serving the Nursing Home in an exemplary manner for over 25 years; and

WHEREAS, there is a critical shortage of RN's in the region, as well as nationwide, resulting in a scarcity of qualified candidates for the position of Director of Nursing; and

RESOLVED, that the Board of Supervisors hereby authorizes the advertising and filling of the position of Director of Nursing at the Wayne County Nursing Home at a salary range of \$64,000 to \$72,000.

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

**RESOLUTION NO. 648-07: AUTHORIZING CONTRACT FOR DIAGNOSTIC IMAGING SERVICES FOR THE WAYNE COUNTY NURSING HOME**

Mr. Plant presented the following:

WHEREAS, the contract between the County of Wayne and HealthTrac for the provision of Diagnostic Imaging services expires on December 31, 2007; and

WHEREAS, the Wayne County Nursing Home is desirous of renewing said contract for the period of January 1, 2008 – December 31, 2008; and

WHEREAS, the Nursing Home shall pay Contractor for services performed on Nursing Home residents in accordance to the same terms and conditions as set forth in the 2007 contract pursuant to the fee schedule; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement effective January 1, 2008 subject to the County Attorney's approval as to form and content the Health Trac for Diagnostic Imaging Services for the Wayne County Nursing Home.

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

**RESOLUTION NO. 649-07: AUTHORIZING AGREEMENT FOR CLINICAL LABORATORY SERVICES FOR THE WAYNE COUNTY NURSING HOME**

Mr. Plant presented the following:

WHEREAS, the contract between the County of Wayne and the ViaHealth of Wayne Laboratories for the provision of lab services expires on December 31, 2007; and

WHEREAS, the Wayne County Nursing Home is desirous of renewing said contract for the period of January 1, 2008 – December 31, 2008; and

WHEREAS, the Nursing Home shall pay Contractor for clinical laboratory testing services performed on Nursing Home residents in accordance to the same terms and conditions as set forth in the 2007 contract pursuant to the fee schedule; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute the agreement, subject to the County Attorney's approval as to form and content with ViaHealth of Wayne Laboratories for the contract period of January 1, 2008 – December 31, 2008.

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

**RESOLUTION NO. 650-07: AUTHORIZATION TO EXECUTE AGREEMENT FOR HOSPICE HOME CARE SERVICES FOR THE WAYNE COUNTY NURSING HOME**

Mr. Plant presented the following:

WHEREAS, the contract between the County of Wayne and the Lifetime Care for the provision of Hospice services expires on December 31, 2007 and;

WHEREAS, the Wayne County Nursing Home is desirous of renewing said contract for the period of January 1, 2008 – December 31, 2008; and

WHEREAS, the Nursing Home incurs no cost for said services; now, therefore, be it

RESOLVED, the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement with Lifetime Care for the contract period of January 1, 2008 – December 31, 2008, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 651-07: AUTHORIZATION TO ACCEPT FUNDS FROM UNITED WAY OF WAYNE COUNTY FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Plant presented the following:

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WHEREAS, the Board of Directors of the United Way of Wayne County approved a recommendation as follows:

Invest \$20,000 in an evidence-based parenting curriculum in collaboration with Wayne County Department of Social Services. The collaboration will allow the County to draw down New York State dollars to contribute to the parenting program resulting in \$56,000 of total funding for the project. United Way and the County will work together to select the parenting curriculum and develop a request for proposals to be released to Wayne County agencies.

and

WHEREAS, the acceptance of these funds is needed to go forward with these services; now, therefore, be it RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to accept an amount of \$20,000 from the United Way of Wayne County to be used as matching monies for Office of Children and Family Services (OCFS) funds for preventive programming through the Wayne County Department of Social Services; and be it further

RESOLVED, that there is no county cost of this endeavor.

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

**RESOLUTION NO. 652-07: AUTHORIZATION TO EXECUTE CONTRACT WITH NURSEFINDERS FOR NURSE COVERAGE FOR THE WAYNE COUNTY NURSING HOME**

Mr. Plant presented the following:

WHEREAS, the contract between the County of Wayne and Nursefinders, Canandaigua, New York for Registered Nurse and or Licensed Practical Nurse coverage expires on December 31, 2007; and

WHEREAS, the Wayne County Nursing Home is desirous of renewing said contract for the period of January 1, 2008 – December 31, 2008 at the same rate as 2006; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement effective January 1, 2008 subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 653-07: AUTHORIZE AGREEMENT WITH POMCO, INC. A NEW YORK CORPORATION FOR THE WAYNE COUNTY NURSING HOME**

Mr. Plant presented the following:

WHEREAS, POMCO, INC, is a third party administrator of various health plans throughout New York State; and

WHEREAS, POMCO Plus+ is its network of providers and hospitals who have Participating Agreements with POMPCO; and

WHEREAS, the Wayne County Nursing Home desires to provide Skilled Nursing Services to the various health plans administered by POMCO; and

WHEREAS, POMCO contracts with the Wayne County Nursing Home for the purpose of providing Skilled Nursing Services to its enrolled members; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute the agreement effective October 1, 2007 subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 654-07: AUTHORIZATION TO EXECUTE AN AGREEMENT BETWEEN THE WAYNE COUNTY NURSING HOME AND TRAVELING EYE CARE**

Mr. Plant presented the following:

WHEREAS, residents are transported from Wayne County Nursing Home for optometrist

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appointments; and

WHEREAS, Traveling Eye Care provides in-house services to the resident; and

WHEREAS, the Wayne County Nursing Home is desirous of contracting with Traveling Eye Care, 207 North Manlius Street, Fayetteville, NY 13066 for the period of January 1, 2008 - December 31, 2008 at no cost to the nursing home; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Traveling Eye Care to Care provides in-house services to the resident for the period of January 1, 2008 - December 31, 2008, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 655-07: AUTHORIZATION TO AMEND RESOLUTION NO. 119-07: AUTHORIZATION TO APPROVE 2007 HIGHWAY CONSTRUCTION PROJECT STATEMENTS AND SUPPLEMENTAL PROJECT STATEMENTS AND APPROPRIATE FUNDS**

Mr. Lyon presented the following:

RESOLVED, that Resolution 119-07 is hereby amended to read as follows:

"WHEREAS, in accordance with Section 115 of the Highway Law, the Superintendent of Highways has prepared project statement of proposed work for the following project:

07-85	Misc. Culvert Project	Town of Galen & Huron	\$250,000
and supplemental project statements of proposed work for the following project:			
02-60	Walworth Road Project	Town of Walworth	\$325,000
05-72	Alderman Road Project	Town of Macedon	\$430,000
06-84	North Wayneport Road	Town of Macedon	\$295,000

now, therefore, be it

RESOLVED, that the Project Statements prepared by the Superintendent of Highways are 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 Project Statements; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to create line items and transfer funds as listed below from Account No. D5112.2600 (Road Construction – Highway Construction) to the following accounts:

\$250,000 to D51122.52685 (Road Construction – Misc. Culvert Project)  
\$325,000 to D51122.52660 (Road Construction – Walworth Road Project)  
\$430,000 to D51122.52672 (Road Construction – Alderman Road Project)  
\$295,000 to D51122.52684 (Road Construction – North Wayneport Road Project)"

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

**RESOLUTION NO. 656-07: AUTHORIZATION TO CREATE AND FILL (1) AUTO MECHANIC POSITION FOR CENTRAL GARAGE**

Mr. Lyon presented the following:

WHEREAS, one auto mechanic position was abolished with Central Garage per Resolution 273-07; and

WHEREAS, due to the volume of services needed for the maintenance repair of the entire county fleet and the Wayne Area Transportation the abolished auto mechanic position is needed; now, therefore, be it

RESOLVED, that one (1) Auto Mechanic Position is hereby created in the County Highway Departments; and be it further

RESOLVED, that the Wayne County Highway Superintendent is hereby authorized to fill the Auto Mechanic position effective January 1, 2008.

Ms. Park moved the adoption of the resolution. Seconded by Mr. Fabino. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Colvin. The Chairman declared the Resolution adopted.

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**RESOLUTION NO. 657-07: AUTHORIZATION TO ADVERTISE FOR BIDS FOR EQUIPMENT NEEDED FOR THE NEW PUMP STATION FACILITY PUMP STATION EQUIPMENT**

Mr. Fabino presented the following:

WHEREAS, Barton and Loguidice, Inc. has been contracted to develop a bid specification for the purchase of the equipment needed for the new Pump Station Facility located on the north side of the Route 31 campus; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to advertise for bids for the purchase of equipment for the Pump Station Facility; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise for bids in accordance with specifications prepared by the Superintendent of Buildings and Grounds and the County Attorney 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.

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

**RESOLUTION NO. 658-07: AUTHORIZATION TO ADVERTISE FOR BIDS FOR ICF BUILDING ROOF REPLACEMENT AT THE ROUTE 31 COMPLEX**

Mr. Fabino presented the following:

WHEREAS, the roof on the ICF Building located at the Route 31 Complex is in need of replacement and the Superintendent of Buildings and Grounds has developed bid specifications for said project; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to advertise for bids for the replacement of roof on the ICF Building located at the Route 31 Complex; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise for bids in accordance with specifications prepared by the Superintendent of Buildings and Grounds and the County Attorney 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.

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

**RESOLUTION NO. 659-07: AUTHORIZATION TO PAY DR. R. MITCHELL FOR PAVING PARKING LOT ADJACENT TO COUNTY COURT HOUSE**

Mr. Fabino presented the following:

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized and directed to reimburse Dr. R. Mitchell, 47 William Street, Lyons, for the cost associated with the paving the County's portion of the parking lot, adjacent to the County Court House, at a cost not to exceed \$700.00.

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

**RESOLUTION NO. 660-07: AUTHORIZATION TO PURCHASE; AMEND BUDGET; CREATE LINE ITEM AND TRANSFER FUNDS FOR ANIMAL ABUSE INVESTIGATOR**

Mr. DeSanto presented the following:

WHEREAS, there is need to establish a line item for uniforms in the Animal Abuse Investigators 2007 Budget as the agency is now incurring such expenses; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to create line item .54187

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(Uniforms) within the Animal Abuse Investigators budget and transfer the following funds:

**Account No. A3117 - Animal Abuse Investigator**

\$400.00 from line item .54500 (Fees for Services) to .54187 (Uniforms)

and be it further

RESOLVED, that the Animal Abuse Investigator is hereby authorized to purchase uniforms from said line item, at a cost not to exceed \$400.

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

**RESOLUTION NO. 661-07: AUTHORIZATION TO AMEND BUDGET AND TRANSFER UNEXPENDED GRANT FUNDING TO PURCHASE EQUIPMENT FOR DISTRICT ATTORNEY**

Mr. DeSanto presented the following:

WHEREAS, the Wayne County District Attorney has received a Legislative-Aid to Prosecution Grant for the purpose of purchasing equipment; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the District Attorney's 2007 budget to increase revenue and appropriation accounts for the unexpended Legislative Grant funds as follows:

**Account No. A1615 – District Attorney**

Increase appropriations .52201 (Computer Equipment) by \$2,903.00

Increase revenues .43322 (Legislative Grant – Aid to Prosecution) \$2,903.00

and be it further

RESOLVED, that the District Attorney is hereby authorized to purchase the following equipment:

2 - Laptop computers (per IT quote)	\$4,662.00
2 - Microsoft Office	590.00
1 - Projector	850.00
1 - Projector screen	95.00
1 - Cart for projector and laptop	<u>250.00</u>
TOTAL	\$6,447.00

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

**RESOLUTION NO. 662-07: AUTHORIZATION TO APPLY FOR TWO PROSECUTION GRANTS FOR DISTRICT ATTORNEY'S OFFICE WITH THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES**

Mr. DeSanto presented the following:

RESOLVED, that the District Attorney is hereby authorized to apply for two (2) legislative grants to be used towards the recruitment and retention of Assistant District Attorneys with no County matching funds for the period 1/1/2007 to 12/31/2008 for the District Attorney's Office with the NYS Division of Criminal Justice Services as follows:

LG06068615 for \$8,447

LG07078671 for \$12,775

and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute all necessary documents to implement the grant for the period 1/1/2007 to 12/31/2008 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.

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

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**RESOLUTION NO. 663-07: AUTHORIZATION FOR DIRECTOR OF PROBATION TO EXECUTE MEMORANDUM OF UNDERSTANDING WITH THE SEVENTH JUDICIAL DISTRICT**

Mr. DeSanto presented the following:

WHEREAS, the New York State Unified Court System has made an additional \$29,000 available for reimbursement to the Probation Department for cost incurred as a result of Drug Court participation; and

WHEREAS, the Memorandum of Understanding is to be executed and filed prior to voucher submission and all vouchers are to be submitted by October 31, 2007; now, therefore be it

RESOLVED, that the Director of Probation is hereby authorized and directed to execute said Memorandum of Understanding on behalf of the County of Wayne.

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

**RESOLUTION NO. 664-07: ESTABLISHING 2008 COUNTY EQUALIZATION RATES**

Mr. Hammond presented the following:

RESOLVED, pursuant to Section 804 of the Real Property Tax Law, that the following rates recommended by the Equalization Committee of the Wayne County Board of Supervisors are hereby adopted and established as the County Equalization rates for the towns in Wayne County for the year 2007:

Arcadia	100.00	Palmyra	93.00
Butler	90.00	Rose	100.00
Galen	93.00	Savannah	98.00
Huron	100.00	Sodus	100.00
Lyons	90.00	Walworth	100.00
Macedon	100.00	Williamson	100.00
Marion	92.00	Wolcott	100.00
Ontario	100.00		

and be it further

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

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

**RESOLUTION NO. 665-07: AUTHORIZING PAYMENT OF LITIGATION COST AND TRANSFER FUNDS - ORCHARD GROVE TRAILER PARK**

Mr. Hammond presented the following:

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

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

Town of Ontario:  
Orchard Grove Trailer Park           \$483.34

now, therefore, be it

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

\$483.34 to Account No. A1355.4506 (Attorneys) from Account No.A1990.4000 (Contingent Fund General-Contractual Expense); and be it further,

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

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

**RESOLUTION NO. 666-07: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS**

Mr. Hammond presented the following:

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

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

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

**TOWN OF ROSE**

2007 Tax Roll

Account No.: 73116-19-675066

Assessed to: Gary Poole/Collier/Lietchi

Corrected Total Tax: \$1090.43

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

**RESOLUTION NO. 667-07: AUTHORIZING PAYMENT OF LITIGATION COST AND TRANSFER FUNDS**

Mr. Hammond presented the following:

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

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

Town of Arcadia:

West Union Associates \$37.00

Town of Ontario :

DKR Investments LLC \$90.44

(Ames Plaza)

now, therefore, be it

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

\$127.44 to Account No. A1355.4506 (Attorneys) from Account No. A1990.4000 (Contingent Fund General-Contractual Expense); and be it further

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

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

**RESOLUTION NO. 668-07: TAX REFUND – ERROR ON TAX ROLL**

Mr. Hammond presented the following:

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

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

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

**TOWN OF ROSE**

2005 Tax Roll

Account No. 73116-19-675066  
Assessed to: Poole/Collier & Lietchi  
Refund: \$1,173.06

2006 Tax Roll

Account No. 73116-19-675066  
Assessed to: Poole/Collier & Lietchi  
Refund: \$1,247.88

and be it further

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

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

**RESOLUTION NO. 669-07: AUTHORIZATION TO ADVERTISE SEALED BIDS FOR COUNTY PROPERTY**

Mr. Hammond presented the following:

WHEREAS, certain Properties acquired by the County of Wayne by tax deed were sold at public auction held June 20, 2007; and

WHEREAS, the first and 2<sup>nd</sup> Bidders declined to purchase said properties; now, therefore, be it

RESOLVED, that the Director of Real Property Tax Services is hereby authorized and directed to advertise by sealed bid the following properties by sealed bid.

SEQ#	TOWN	VILLAGE	TAX ID#	LOCATION
220	Butler	Wolcott	75116-07-617976	Limekiln Road
316	Galen	Clyde	74112-09-106731	Wayne Avenue
380	Galen	Clyde	74112-18-355190	27 Orchard Street
600	Lyons	Lyons	71111-05-194996	123 Catherine Street
991X	Palmyra	Palmyra	64111-12-804704	421 East Main Street
940	Ontario		63117-13-236473	1926 Ridge Road
1044	Palmyra		66112-00-648553	N Creek Road
1107	Rose		73116-00-843270	5172 Fifth Road
1361	Sodus		69117-00-864999	State Street Ext
1657	Wolcott	Wolcott	75117-15-711499	11903 Smith Street
1738	Wolcott		76120-00-708027	12707 Younglove Road

RESOLVED, that the advertising shall run two times in the Courier Gazette, Macedon Times and Wayne County Star and be in the same format, style and format as customarily utilized by Real Property Tax Services in the tax foreclosure auction process. Said advertising charges shall be a charge to Account A1362, "Tax Advertising & Expense", Line .4402; and be it further

RESOLVED, all bids and deposits must be submitted with Wayne County's bid forms, which are available at the Real Property Tax Services office and all bids, deposits and bid forms must be submitted to the Wayne County Attorney's Office, 26 Church St, Lyons, NY 14489, no later than November 1, 2007 at 3:00 pm.

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Mr. Hammond moved, seconded by Mr. Fabino, that the second RESOLVED clause be completely removed from this resolution.

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

Mr. DeSanto moved the adoption of the amended resolution. Seconded by Mrs. Collier. Upon roll call, all Supervisors voted Aye. Absent - Supervisor Colvin. The Chairman declared the amended Resolution adopted.

**RESOLUTION NO. 670-07: AUTHORIZATION TO SETTLE CLAIM - REBECCA KEHOE**

Mr. Hammond presented the following:

RESOLVED, that a civil action involving Rebecca Kehoe, Claimant, has been amicably settled between the parties in the amount of \$45,000, together with other terms and conditions as stipulated to between the parties and payment thereof is hereby approved; and be it further

RESOLVED, that regarding said civil action matter payment is hereby approved and the County Treasurer is hereby authorized and directed to make payment from Account No. A1930 (Judgment & Claims) in the amount of \$45,000, as directed by the County Attorney.

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

**RESOLUTION NO. 671-07: AUTHORIZE REQUEST FOR PROPOSALS FOR LEGAL SERVICES**

Mr. Hammond presented the following:

WHEREAS, the County of Wayne engages outside counsel to represent the County regarding pending litigation; and

WHEREAS, the County has determined after due consideration that it desires to seek proposals from qualified law firms for the provision of said legal services; now, therefore, be it

RESOLVED, that the County Attorney be and hereby is authorized and directed to issue a Request For Proposal (RFP) to law firms regarding the representation of the County of Wayne with respect to pending litigation.

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

**RESOLUTION NO. 672-07: ADOPTION OF LOCAL LAW NO. 5-2007: AUTHORIZING A LOCAL LAW AMENDING LOCAL LAW NO. 1-1956, AS AMENDED, ENTITLED "A LOCAL LAW ESTABLISHING A PLAN OF SELF-INSURANCE AS PROVIDED FOR IN ARTICLE 5 OF THE WORKMEN'S COMPENSATION LAW, AND PROVIDING FOR THE ADMINISTRATION THEREOF", IN RELATION TO PARTICIPANTS IN THE PLAN AND APPORTIONMENT OF COSTS**

Mr. Hammond presented the following:

WHEREAS, a proposed local law amending Local Law No. 1-1956, as amended, entitled "A local law establishing a plan of self-insurance as provided for in Article 5 of the Workmen's Compensation Law, and providing for the administration thereof", in relation to participants in the plan and apportionment of costs, was presented to the Board of Supervisors on August 21, 2007; and

WHEREAS, a public hearing on proposed Local Law No. 5-2007 was held by the Board of Supervisors on Tuesday, September 18, 2007 at 9:15 am, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

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

**COUNTY OF WAYNE - STATE OF NEW YORK**

A local law amending Local Law No. 1-1956, as amended, entitled "A local law establishing a

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plan of self-insurance as provided for in Article 5 of the Workmen's Compensation Law, and providing for the administration thereof", in relation to participants in the plan and apportionment of costs.

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

SECTION 1.

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

Section 14. (a) Definitions

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

SECTION 2.

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

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

**RESOLUTION NO. 673-07: AUTHORIZATION TO ESTABLISH 2008 WORKER**

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**COMPENSATION RATES**

Mr. Hammond presented the following:

WHEREAS, the County of Wayne needs to establish 2008 rates for the Self-insured Workers Compensation Program; now therefore be it

RESOLVED, that the County of Wayne hereby adopts the following rates for the 2008 Workers Compensation Plan:

Wayne County	\$1,327,153	
Town of Arcadia	\$ 50,631	
Town of Butler	\$ 13,623	
Town of Galen	\$ 12,940	
Town of Huron	\$ 20,589	
Town of Lyons	\$ 20,912	
Town of Macedon	\$ 76,048	
Town of Marion	\$ 51,520	
Town of Ontario	\$ 100,730	
Town of Palmyra	\$ 54,181	
Town of Rose	\$ 17,054	
Town of Savannah	\$ 7,248	
Town of Sodus	\$ 63,005	
Town of Walworth	\$ 78,585	
Town of Williamson	\$ 41,943	
Town of Wolcott	\$ 16,131	
Village of Clyde	\$ 18,624	
Village of Lyons	\$ 94,389	
Village of Macedon	\$ 25,281	
Village of Newark	\$ 222,485	
Village of Palmyra	\$ 14,959	
Village of Red Creek	\$ 1,890	
Village of Sodus	\$ 20,277	
Village of Sodus Point	\$ 11,280	
Village of Wolcott	\$ 8,038	
Wayne CAP	\$ 82,743	
WCWSA	\$ 7,937	
WC Historical Soc.	\$ 513	
Clyde Savannah School District	\$ 151,635	
Lyons School District	\$ 117,657	Mr. Jenkins moved the adoption of the resolution. Seconded by Ms. Park. Upon roll call, adopted.

**RESOLUTION NO. 674-07: AUTHORIZATION TO FILL VACANT POSITIONS FOR VARIOUS COUNTY DEPARTMENTS**

Mr. Jenkins presented the following:

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

Commissioner of Social Services

Nursing Home

1 - Full Time Cook (due to vacancy)

Director of Public Health

1 - Full Time Typist (due to resignation)

Sheriff

1 - Road Patrol Lieutenant (due to retirement)

Director of Mental Health

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1 – Staff Social Worker (due to resignation)

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

**RESOLUTION NO. 675-07: AUTHORIZATION TO EXECUTE CONTRACT WITH POMCO FOR FLEXIBLE SPENDING PLAN ADMINISTRATION**

Mr. Jenkins presented the following:

WHEREAS, Resolution No. 682-06 authorized the amendment of a contract with POMCO to provide Third Party Administrative Services including administrating the flexible spending account; and

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with POMCO, for the flexible spending account to increase from \$3.22 per enrollee per month to \$3.31 per enrollee per month with a minimum of 100 enrollee per month, for the period September 1, 2007 – August 31, 2008.

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

**RESOLUTION NO. 676-07: AUTHORIZATION TO EXECUTE PARTICIPATING PROVIDER CONTRACT WITH POMCO**

Mr. Jenkins presented the following:

WHEREAS, Resolution No. 683-.06 authorized the extension of a contract with POMCO to provide Third Party Administrative Services; and

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with POMCO, for the following:

1. Enrollment cost services to increase from \$26.72 per enrollee per month to \$27.44 per enrollee per month for the period September 1, 2007 – August 31, 2008.
2. Dental claim adjudication services from \$2.83 per enrollee per month to \$3.03 per enrollee per month for the period September 1, 2007 – August 31, 2008.
3. Health and Dental claim adjudication services to the Wayne County Jail from \$882.00 per month to \$906.00 per month for the period September 1, 2007 – August 31, 2008.

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

**RESOLUTION NO. 677-07: AUTHORIZATION TO EXECUTE CONTRACT WITH HANCOCK & ESTABROOK, LLP FOR NEGOTIATIONS REGARDING THE WAYNE COUNTY SHERIFF'S POLICE OFFICERS' ASSOCIATION COLLECTIVE BARGAINING AGREEMENT**

Mr. Jenkins presented the following:

WHEREAS, the County of Wayne contemplates entering into negotiations regarding the Wayne County Sheriff's Police Officers' Association Collective Bargaining Agreement; and

WHEREAS, the County of Wayne deems it would be appropriate to have a professional negotiator represent the County of Wayne in said negotiations:

WHEREAS, Hancock & Estabrook, LLP is providing collective bargaining agreements for the County of Wayne; now therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby

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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 Hancock & Estabrook for professional negotiation services regarding said contract negotiations between the County of Wayne and the Wayne County Sheriff's Police Officers' Association, Law enforcement Officers Union, Council 82, the attorney assigned to the project team will be John F. Corcoran, Esq. at a rate of \$195 per hour, travel time will be charged, mileage will be charged separately at the current federal mileage rate, plus tolls and if any overnight stay as necessary, the consultants will be reimbursed for the cost of lodging upon receipt of invoices.

Mr. Fabino commented that he would not be supporting the adoption of this resolution.

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

**RESOLUTION NO. 678-07: AUDIT OF CLAIMS – OCTOBER 2007**

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

1. A Fund	\$ 2,258,666.81
2. D Fund	\$ 396,681.58
3. DM Fund	\$ 121,043.71
4. E Fund	\$ 245,216.14
5. H Fund	\$ 80,913.42
6. MS Fund	\$ 24,340.96
7. S Fund	\$ 22,250.00
Warrant Total	\$ 3,149,112.62

and be it further

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

1. A Fund	\$ 64,267.24
2. DM Fund	\$ 6,028.58
3. E Fund	\$ 30,145.95
Utility Total	\$ 100,441.77

and be it further

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

1. Nursing Home	\$ 52,688.00
2. Sheriff's Office	\$ 860.00
3. Social Services	\$ 287.76
4. County Attorney	\$ 7,500.00
5. Highway Department	\$ 9,000.00
Misc. Disbursement Total	\$ 70,335.76

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

**RESOLUTION NO. 679-07: REQUEST THE GOVERNOR TO RECONSIDER THE RECENTLY PROPOSED CHANGES IN THE PERSONAL IDENTIFICATION REQUIREMENTS FOR A NEW YORK STATE DRIVERS LICENSE**

Mr. LeRoy presented the following:

WHEREAS, since 9/11 it has been the policy of the New York State Department of Motor

Vehicles, in applying for a driver's license, to require the presentation of a valid Social Security Card or letter of ineligibility from a Social Security office for purposes of establishing identity and legal presence within the United States, and

WHEREAS, Governor Spitzer, through an executive order, has removed this requirement for a Driver's license application as of December 2007; and

WHEREAS, that new policy will pose significant security concerns for establishing an applicant's identity and legal residence; and

WHEREAS, this change will create unneeded confusion in the identification value of a New York State Driver's License to government agencies, Boards of Election, law enforcement, and the general public; and

WHEREAS, this policy could lead to a significant influx of illegal immigration to the State of New York, taxing local governments and law enforcement; now, therefore, be it

RESOLVED, that it is the sentiment of the **Wayne County Board of Supervisors** that the removal of the Social Security requirement for obtaining driving privileges is ill advised and Governor Spitzer should withdraw his executive order until such time as a more detailed examination of its ramifications can be conducted; and be it further

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to send a copy of this resolution to New York State Governor Eliot Spitzer; New York State Senator Michael F. Nozzolio; New York State Assemblyman Robert C. Oaks and the New York State Association of Counties.

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

The 4-H Supervisors for the Day were excused from the meeting at 10:07 a.m.

Chairman Hoffman asked Keith Kubasik, Fiscal Manager/Budget Officer, to address the Board and gave a brief presentation regarding the preparations and progress of 2008 Departmental and Agency Budgets.

**EXECUTIVE SESSION:** At 10:15 a.m., Mr. Jenkins moved, seconded by Mr. DeSanto that the Board go into Executive Session to discuss personnel issues. Upon roll call, carried.

**REGULAR SESSION:** At 11:17 a.m., Mrs. Bender moved, seconded by Mr. DeSanto that the Board resume regular session. Carried.

Mr. Lyon moved, seconded by Mr. Hammond that three (3) resolutions be allowed on the floor under other business. Upon roll call, all Supervisors voted Aye. Absent - Supervisor Colvin. Motion carried.

**RESOLUTION NO. 680-07: AUTHORIZATION TO PAY COMPENSATORY TIME TO COBB AND TRANSFER FUNDS**

Mrs. Bender presented the following:

WHEREAS, Richard Cobb has accumulated \$22,073.09 worth of compensatory time over the past 16 years; and

WHEREAS, Richard Cobb has retired and is requesting payment for said compensatory time; now, therefore, be it

RESOLVED, that the County of Wayne pay Richard Cobb a sum of \$22,073.09 for his compensatory time earned; and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$25,971.00 from the Emergency Management Project reserve into:

**A3640-EMERGENCY MANAGEMENT OFFICE**

\$22,079.00 to .51494 Operations Officer  
\$ 2,208.00 to .58100 Payments to NYS Retirement  
\$ 1,689.00 to .58200 Payments to Social Security

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

Supervisor Spickerman addressed the Board to state that he was not going to support the adoption of this resolution for paying compensatory time to Richard Cobb. Supervisors Hammond and DeSanto commented that they were favorable in supporting this resolution.

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

**RESOLUTION NO. 681-07: AUTHORIZATION TO APPOINT A DIRECTOR OF EMERGENCY MANAGEMENT**

Mrs. Bender presented the following:

WHEREAS, the position of Director of Emergency Management has been vacated and the Selection Committee has interviewed and selected a candidate for the position; now, therefore, be it

RESOLVED, that George Bastedo is hereby appointed to the position of Director of Emergency Management on a probationary basis, at an annual salary of \$48,500.00.

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

**RESOLUTION NO. 682-07: AUTHORIZATION TO FILL PROBATION ASSISTANT POSITION FOR PROBATION DEPARTMENT**

Mr. DeSanto presented the following:

RESOLVED, that the Director of Probation is hereby authorized to fill one (1) vacant Probation Assistant position, effective 10/16/07, on a provisional basis per Civil Service Regulations.

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

**ADJOURNMENT:**

The next scheduled meeting of the Board is Tuesday, November 20, 2007 at 9:00 a.m.

Mr. Plant moved, seconded by Mr. DeSanto, that the board adjourn today's session at 11:31 a.m. Carried.

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