

19th Day
Tuesday, December 1, 2009
7:00 p.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.

The Clerk read the Notice of Public Hearing:

**NOTICE OF PUBLIC HEARING
BUDGET FOR WAYNE COUNTY**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Wayne will meet at the Supervisors' Chambers in the Court House in the Village of Lyons, New York on the 1st day of December 2009 at 7:00pm for the purpose of holding a public hearing on the Tentative Budget of said County for the fiscal year beginning January 1, 2010, at which time all residents of Wayne County will have the right to present written or oral comments on the Tentative Budget.

FURTHER NOTICE IS HEREBY GIVEN that copies of the Tentative Budget will be available at the office of the Clerk of the Board of Supervisors at the Court house, 26 Church Street, Lyons, New York, where they may be inspected or procured by any interested persons during business hours.

Pursuant to Section 359 of the County Law, the maximum salaries that may be fixed and payable during said fiscal year to the members of the Board of Supervisors and the Chairman thereof, respectfully, are hereby specified as follows:

Supervisors (each)	\$15,095
Chairman of the Board	\$20,338

BUDGET SUMMARY

Categories	Other Fund Appropriations
General Government	26,133,889
Education	3,500,000
Public Safety	20,863,006
Health	23,536,702
Transportation	38,378
Economic Assistance - Social Services	41,345,255
Recreation and Culture	848,519
Home and Community Services	2,433,607
Undistributed Employee Benefits	1,869,800
Debt Service	480,000
Inter-Fund Transfer	9,048,168
Workforce Development	0

Highway	10,678,212
Enterprise	20,416,479
Worker Compensation	2,629,610
Deferred and Uncollected Taxes	0
GRAND TOTAL	\$163,821,625

By the Order of the Wayne County Board of Supervisors

Dated: November 20, 2009
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

The Chairman opened the floor for public comment and requested persons interested in addressing the Board with their concern for the proposed 2010 Wayne County Budget to come forth.

The following individuals addressed the Board:
Cindy Kimble, support for a budget appropriation for the Finger Lakes Tourism Alliance
Steve Hays, Historic Palmyra Museums, support for a budget appropriation for the Finger Lakes Tourism Alliance
Nancy Casper, Huron, opposition to the proposed privatization of recyclable materials
Brian Weston, support for a budget appropriation for the Finger Lakes Tourism Alliance

There being no additional speakers, the Chairman requested a motion to close the hearing.

Mr. Kelsch moved, Second by Mr. Plant, that the hearing be closed at 7:27 p.m. Upon roll call, carried.

RESOLUTION NO. 866-09: LEVYING TAXES AND ASSESSMENTS FOR PURPOSES OF ANNUAL TOWN BUDGETS

Mr. Lyon presented the following:

WHEREAS, a duly certified copy of the annual budget of each of the several towns in the County of Wayne for the fiscal year beginning January 1, 2010, have been presented to the Board of Supervisors; now, therefore, be it

RESOLVED, pursuant to Section 115 of the Town Law, that the following amounts specified in the budgets of the respective Towns for the purpose listed below are hereby levied and assessed upon the real property of the Town liable therefore:

ARCADIA

A	General	\$ 507,507.00
B	General - Outside Village	76,223.00
DA	Highway - Townwide	763,388.00
DB	Highway - Outside Village	<u>292,305.00</u>
		\$1,639,423.00

BUTLER

A	General	\$191,124.00
B	General - Outside Village	.00
DA	Highway - Townwide	144,908.00
DB	Highway - Outside Village	<u>87,055.00</u>
		\$423,087.00

GALEN

A	General	\$314,003.00
B	General - Outside Village	29,321.00
DA	Highway - Townwide	179,879.00
DB	Highway - Outside Village	<u>24,650.00</u>
		\$547,853.00

<u>HURON</u>		
A	General	\$307,283.00
DA	Highway - Townwide	<u>475,287.00</u>
		\$782,570.00
<u>LYONS</u>		
A	General	\$438,662.00
DA	Highway - Townwide	364,427.00
DB	Highway - Outside Village	<u>201,524.00</u>
		\$1,004,613.00
<u>MACEDON</u>		
A	General	\$782,921.00
B	General - Outside Village	.00
DA	Highway - Townwide	630,627.00
DB	Highway - Outside Village	<u>261,672.00</u>
		\$1,675,220.00
<u>MARION</u>		
A	General	\$ 291,960.00
DA	Highway – Townwide	595,778.00
L	Library	<u>106,007.00</u>
		\$ 993,745.00
<u>ONTARIO</u>		
A	General	\$ 671,911.00
DA	Highway - Townwide	562,717.00
L	Library	<u>324,866.00</u>
		\$1,559,494.00
<u>PALMYRA</u>		
A	General	\$461,332.00
B	General - Outside Village	81,360.00
DA	Highway - Townwide	376,331.00
DB	Highway - Outside Village	<u>214,343.00</u>
		\$1,133,366.00
<u>ROSE</u>		
A	General	\$258,847.00
DA	Highway - Townwide	<u>350,312.00</u>
		\$609,159.00
<u>SAVANNAH</u>		
A	General	\$61,500.00
DA	Highway - Townwide	<u>292,605.41</u>
		\$354,105.41
<u>SODUS</u>		
A	General	\$642,491.00
DA	Highway - Townwide	650,883.00
DB	Highway - Outside Village	<u>44,103.00</u>
		\$1,337,477.00
<u>WALWORTH</u>		
A	General	\$ 477,071.00
DA	Highway - Townwide	965,305.00
L	Library	<u>250,244.00</u>
		\$1,692,620.00
<u>WILLIAMSON</u>		
A	General	\$ 177,653.00
DA	Highway - Townwide	892,834.00
L	Library	<u>490,261.00</u>
		\$1,560,748.00

<u>WOLCOTT</u>		
A	General	\$130,375.30
B	General – Outside	8,397.00
DA	Highway - Townwide	266,565.00
DB	Highway - Outside Village	<u>90,539.00</u>
		\$495,876.30

and be it further

RESOLVED, that the following amounts are hereby assessed and levied upon and shall be collected from the taxable real property liable therefore situated with the fire, fire protection, improvement and other districts listed below for the purposes of such districts as specified in the respective annual budgets:

<u>TOWN</u>	<u>DISTRICT</u>	<u>AMOUNT OF LEVY</u>
ARCADIA	Arcadia Fire Dist #1	165,000.00
	SW Water Benefit Area #1	42,628.00
	SW Water Improvement	.00
	Tellier Water District #2	.00
	Fairville Water District #4	30,975.00
	Fairville Ext. Water District #5	38,000.00
	Water District #6	15,485.00
	Water District #7	58,448.00
	Water District #8	20,605.00
	Water District #9	20,078.00
BUTLER	Water District #10	13,271.00
	Westbury Lighting District	600.00
	Butler Fire Protection District #1	41,654.98
	South Butler Lighting District	2,000.00
GALEN	South Butler Fire	53,025.65
	Fire District	150,775.00
HURON	Lock Berlin Street Lighting	3,000.00
	Huron-Wolcott Fire District	24,051.00
LYONS	Huron-Alton Fire District	27,005.00
	Huron-No. Rose Fire District	69,962.00
	Sodus Bay Aquatic Weed District	61,800.00
	Water District #3	30,000.00
	Water District #4	22,233.00
MACEDON	Water District #5	21,300.00
	New Rt. 31 Sewer District	2,000.00
	Grist Mill Water District	1,500.00
	Westphal Water District	1,400.00
	Old Lyons Rd Water District	7,362.50
	Lyons Fire Protection District #1	146,958.68
MACEDON	Grist Mill Lighting District	1,500.00
	Consolidated Water	.00
	Special Amb	.00
	Special Drainage	118,924.00
	Macedon Center Fire	178,397.00
	Macedon/Farmington Fire	131,500.00
	Walworth Fire	6,404.00
	Gananda Sidewalk	8,500.00
	Macedon Center Light	1,750.00
	Gananda Light	15,750.00
	Macedon Commons	850.00
	Parkwood Heights Light	4,000.00
	Macedon SS #	.00

MARION	Water	16,671.00
	Lighting	11,300.00
	Sidewalks	.00
	Fire	212,571.00
	Arbor Water	3,837.00
	Route 21 Water	2,440.00
	Water NW Quadrant	42,855.00
	Water NE Quadrant	11,520.00
	Water NW Quad Phase II	65,300.00
	Water NW Quad Phase III	42,882.00
	Drainage District	24,000.00
	NE Quadrant Phase II	14,746.00
ONTARIO	Sewer District #1	147,884.00
	Sewer District #2	11,116.00
	Ontario Light #1	7,700.00
	Ontario Light #2	1,650.00
	Ont. & Union Hill F.P.D.	351,000.00
	Ontario Fire District	56,000.00
	Bid District	1,494.00
	Drainage	121,294.00
PALMYRA	Water Districts	
	East	2,970.00
	Central	168,465.00
	CWD EXT#1	27,740.00
	Consolidated Water	48,275.00
	Garnsey-Shilling Area	20,823.00
	Hydesville Water	4,826.00
	Southwest Sewer	14,176.00
	Fire Districts	
	Palmyra	69,521.00
	East Palmyra	49,329.00
	Port Gibson	8,149.00
	Library Districts	285,000.00
ROSE	North Rose Light #1	7,900.00
	Rose Light #2	5,950.00
	Rose-North Rose Water	129,952.00
	N. Rose-Huron Fire	25,833.00
	Rose Fire	95,911.00
SAVANNAH	Savannah Lighting	11,000.00
	South Butler Lighting	800.00
	Savannah Fire District	85,000.00
	Sewer District No. 1	3,674.00
	Sewer District No. 2	13,875.00
	Sewer District No. 3	2,240.00
	S. Butler Fire District	22,224.35
SODUS	Sodus Center Fire	60,940.00
	Wallington Fire	32,400.00
	Alton Fire	48,549.00
	Rural Fire Protection	176,000.00
	Rural Hydrant	290.00
	Alton Light	4,950.00
	Sodus Center Light	4,950.00
	Wallington Light	2,450.00
	Water #1	12,701.00

	Water #2	.00
	Water #5	11,174.00
	Water #1, Ext. #8	2,250.00
	Water #5, Ext. #1	14,232.00
	Water #5, Ext #2-Centenary Road	15,175.00
	Water #5, Ext #3-Halcus Road	.00
	Water #6	36,445.00
	Water #9	5,000.00
	Water #10	5,000.00
	Water #11	5,000.00
WALWORTH	Orchard View Light District	1,300.00
	Walworth Consolidated Drainages	25,600.00
	Crystal Creek Drainage	3,000.00
	West Walworth Fire Protection	172,000.00
	Lincoln Fire Protection	147,500.00
	Walworth Light District	6,000.00
	Harvest Hill Light District	8,000.00
	Gananda Light District	10,000.00
	Brookside Light District	100.00
	Gananda Sidewalk District	2,500.00
	Parkview Green Park District	1,875.00
	Daansen Road Ext #5	900.00
	Albright/Bushwood/Henness Ext #12	5,950.00
	Kuttruff/Canandaigua Ext. #15	4,900.00
	Mildahn Ext #16	4,700.00
	Countyline Road Ext #17	5,750.00
	Plank Road Ext #18	5,800.00
	Lin/Swa/Co/Jac/Lew/Smi/Arb/Daa	29,000.00
	Arbor/Tummonds	3,745.00
	Walworth Fire District	176,558.00
WILLIAMSON	Williamson Sewer District D	1,935.00
	Williamson Sewer District U	219,100.00
	Williamson Lighting	29,300.00
	E. Williamson Lighting	4,720.00
	Pultneyville Lighting	5,880.00
	E.W. - 104 Lighting	1,938.00
	Rural Fire	.00
	Williamson Fire	187,700.00
	E. Williamson Fire	78,000.00
	Pultneyville Fire	114,562.00
	Business District	9,450.00
	Drainage District	45,003.00
WOLCOTT	Wolcott Fire District	62,391.00
	Ingersoll Water District	14,000.00
	West Port Bay Water District	5,300.00

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

RESOLUTION NO. 867-09: ADOPTING SPECIAL DISTRICT TAX RATES FOR FISCAL YEAR 2009

Mr. Lyon presented the following:

RESOLVED, that the Wayne County Board of Supervisors hereby adopts the following schedule of Special District Tax Rates and unit charges for 2010.

2010	SPECIAL DISTRICT	RATES	
<u>ARCADIA</u>			
	ARCADIA RFP	0.769212	
	SOUTHWEST WATER	0.420882	
	SOUTHWEST BNFT #1	1.818272	
	TELLIER RD WATER	0.000000	
	FAIRVILLE WTR #4	274.115044	Units Charge
	FAIRVILLE WTR #5	266.666667	Units Charge
	FAIRVILLE WTR #6	351.931818	Units Charge
	ARCADIA WTR #7	307.621053	Units Charge
	HYDES/SAND #8	371.261261	Units Charge
	ARCADIA WTR #9	306.534351	Units Charge
	ARCADIA WTR #10	368.638889	Units Charge
<u>BUTLER</u>			
	WESTBURY LT	0.784856	
	SO. BUTLER LT	0.970151	
	BUTLER FIRE	0.843657	
	SO. BUTLER FIRE	2.479239	
<u>GALEN</u>			
	LOCK BERLIN LIGHT	1.210818	
	GALEN-CLYDE FIRE	0.900842	
<u>HURON</u>			
	HURON-WOL FIRE 1	0.234638	
	HURON-ALTON FIRE 2	0.595724	
	HURON-N ROSE FIRE	0.586576	
	AQUATIC WEED	1.217768	
	AQUATIC WEED #4	0.000000	
	AQUATIC WEED #5	1.217768	
	AQUATIC WEED #6	1.217768	
	HURON WTR #3	264.433671	Units Charge
	HURON WTR #4	274.820766	Units Charge
	HURON WTR #5	347.188264	Units Charge
<u>LYONS</u>			
	LYONS FIRE	1.756976	
	GRISTMILL LIGHT	44.117647	
	GRISTMILL WATER	35.714286	
<u>MACEDON</u>			
	MAC CTR LT	0.251827	
	GANANDA LT	0.194022	
	MAC-COMMONS LT	0.155376	
	PARKWOOD LT	0.242304	
	MAC CTR FIRE	0.700243	
	MAC-FARM FIRE	0.493216	
	MAC-WAL FIRE 1	1.105655	
	CONSOLIDATED WTR	0.000000	
	SPEC AMBULANCE	0.000000	
	MACEDON DRAINAGE	0.232781	
	GANANDA SDWLK 1	0.108978	
<u>MARION</u>			
	MARION FIRE	1.005298	
	MARION LIGHT	0.231382	
	MARION SEWER	0.000000	
	SIDEWALKS	0.000000	

	MARION WATER	13.800497	Units Charge
	WATER NW PHASE 1	428.550000	Units Charge
	WATER ARBOR RD	201.947368	Units Charge
	WATER WD4, RT 21	348.571429	Units Charge
	WATER NW PHASE 2	421.290323	Units Charge
	WATER NE PHASE 1	235.102041	Units Charge
	WATER NW PHASE 3	476.466667	Units Charge
	MARION DRAINAGE DIST	1.251956	Units Charge
	WATER NE PHASE 2	368.650000	Units Charge
<u>ONTARIO</u>			
	BID DISTRICT #1	0.489626	
	ONTARIO SEWER	0.252238	
	SEWER 2	0.242090	
	UNION HILL FIRE	0.623968	
	ONTARIO FIRE	0.583650	
	ONTARIO LIGHT #1	0.149562	
	CREEKWOOD LIGHT #2	0.432617	
	WATERSHED DIST	2.678809	Units Charge
<u>PALMYRA</u>			
	PALMYRA FIRE	0.503281	
	EAST PALMYRA FIRE	0.932539	
	PORT GIBSON FIRE	0.602392	
	WATER EAST PAL #5	0.317952	
	CENTRAL WATER	2.071042	
	CENTRAL WT EXT 1	1.800391	
	CONSOLIDATED WTR	0.322818	
	GARNSEY-SHILLING	2.611554	
	HYDESVILLE WTR EX 5	371.230769	Units Charge
	SOUTHWEST QUAD SWR	363.487179	Units Charge
	PALMYRA COMM LIBRARY	1.170435	
<u>ROSE</u>			
	NORTH ROSE LIGHT 1	0.466162	
	ROSE LIGHT 2	0.588000	
	ROSE-N.ROSE WD1	0.423676	
	ROSE-N.ROSE WD2	1.536079	
	ROSE-N.ROSE WD5	3.369263	
	N.ROSE-HURON FIRE	0.582337	
	ROSE FIRE 2	1.917110	
	ROSE-N.ROSE WD6	3.254589	
<u>SAVANNAH</u>			
	SAVANNAH LIGHT	0.991237	
	SO. BUTLER LIGHT	1.308083	
	SAV FIRE DIST.	1.602732	
	SO. BUTLER FIRE	2.479238	
	SAVANNAH SEWER 1	167.000000	flat fee
	SAVANNAH SEWER 2	125.000000	flat fee
	SAVANNAH SEWER 3	160.000000	flat fee
<u>SODUS</u>			
	RURAL HYDRANT	0.028252	
	FIRE PROTECTION	0.750096	
	SODUS CENTER FIRE	1.982593	
	WALLINGTON FIRE	1.596117	
	ALTON FIRE	3.532681	
	ALTON LIGHT	0.559627	

SODUS CTR LIGHT	0.750794	
WALLINGTON LIGHT	0.588209	
WATER 1	0.303955	
WATER 1 EXT 8	2.405776	
WATER 5 LAKE RD	1.352799	
WATER 5 EXT 1, LK RD	1.063542	
WATER 5 EX2,CENT.RD	3.231381	
WATER 5 EX3,HALCUS	0.000000	
WATER 6	502.689655	Units Charge
WATER 8 AIRPORT	\$0.000000	Units Charge
WATER 7	\$383.135922	Units Charge

WALWORTH

WAL DRAINAGE	0.051555
CRYSTAL CRK DRAIN	0.185532
WAL-MAC FIRE DIST	1.102843
W WAL FIRE DIST	0.718605
LINCOLN FIRE DIST	1.254804
WAL LT DIST	0.397849
HAR HILL LT	1.004487
GANANDA LT	0.070609
BROOKSIDE LT DIST	0.030419
ORCHARD VIEW LT	0.198255
GANANDA SIDEWALK	0.017652
PARK VIEW PARK DIST	0.128693
BUSHWOOD RD EX 11	0.000000
ALBRT/BSHWD/HENNESS	1.249167
KUTT/CANAND EXT15	0.576250
MILDAHN RD EX 16	1.296106
WHITNEY RD	0.000000
COUNTY LN RD EX17	0.618531
PLANK RD EXT 18	1.283652
WALWORTH WTR 1	0.000000
CREAM RIDGE WTR 2	0.000000
WHITNEY MDWS EX 3	0.000000
GANANDA WTR 2 EX 4	0.000000
RT 350 EX 4 WD5	0.000000
FINLEY RD EXT	0.000000
DAANSEN RD EXT #5	0.361804
ROLFORD HGT EX 7	0.000000
OAKWOOD MDW EX 8	0.000000
ARBOR RD EXT 20	2.157418
WALWORTH EXT 19	1.149188

WILLIAMSON

DRAINAGE DISTRICT 1	0.251091	Units Charge
WILLIAMSON LIGHT	0.420695	
E WILLIAMSON LIGHT	0.349249	
PULTNEYVILLE LIGHT	0.290862	
E-WMSON 104-LIGHT	2.476044	
RURAL FIRE	0.000000	
WILLIAMSON FIRE	1.005341	
E WILLIAMSON FIRE	1.029536	
PULTNEYVILLE FIRE	0.862408	
WILLIAMSON SWR DIST	1.000000	Fee
WILLIAMSON SWR USE	100.000000	Units Charge

<u>WOLCOTT</u>	BUSINESS DIST	3.128353	
	WOLCOTT FIRE	0.504030	
	SEWER - PHASE 1	0.000000	Units Charge
	WATER - INGERSOLL	346.964064	Units Charge
	WEST PORT BAY WATER	267.002519	Units Charge

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

RESOLUTION NO. 868-09: ALLOCATION OF COUNTY SALES TAX REVENUES TO TOWNS AND VILLAGES

Mr. Lyon presented the following:

WHEREAS, pursuant to the County Sales Tax Resolution, a portion of county sales tax revenues is allowed to the towns and villages within the County; and

WHEREAS, the Towns of Macedon, Marion, Ontario, Walworth and Williamson have submitted in writing, to the County Treasurer, requests to be excluded from this agreement for County Tax purposes. These exclusions will continue in affect until and unless each town individually submits a resolution passed by their respective town board, no later than August 31 of each year to the County Treasurer that requests to be included in this agreement. Therefore regarding the towns of Macedon, Marion, Ontario, Walworth and Williamson, all amounts of the 2010 sales tax which would be so applied to reduce the county taxes levied upon real property in such towns shall be paid directly to such town to be used for any town purpose and shall be shown as zero (\$0) in the table below; distribution of the portion of sales tax attributed to the five towns above shall be otherwise handled in accordance with the County Sales Tax Resolution; and

RESOLVED, that the allocation of sales tax revenues to the remainder towns and villages shall be made in accordance with the following schedule for the year 2010:

\$800,000		RATE/PERSON	RATIO	TOTAL
Villages & Towns	Population 2000	8.531968218	Towns w/Villages	Amount

V.NEWARK			0.6032	\$76,625.23
ARCADIA	14,889	\$127,032.47	0.3968	\$50,407.24
V.WOLCOTT			0.1208	\$2,346.78
BUTLER	2,277	\$19,427.29	0.8792	\$17,080.51
V.CLYDE			0.3749	\$14,198.72
GALEN	4,439	\$37,873.41	0.6251	\$23,674.69
HURON	2,117	\$18,062.18	1.0000	\$18,062.18
V.LYONS			0.5828	\$28,995.66
LYONS	5,831	\$49,749.90	0.4172	\$20,754.24
V.MACEDON			0.1301	\$9,645.25
MACEDON	8,688	\$74,125.74	0.8699	\$64,480.49
MARION	4,974	\$42,438.01	1.0000	\$42,438.01
ONTARIO	9,778	\$83,425.59	1.0000	\$83,425.59
V.PALMYRA			0.3786	\$24,779.18

PALMYRA	7,672	\$65,457.26	0.6214	\$40,678.08
ROSE	2,442	\$20,835.07	1.0000	\$20,835.07
SAVANNAH	1,838	\$15,681.76	1.0000	\$15,681.76
V.SODUS			0.1169	\$8,926.51
V.SODUS PT			0.2577	\$19,678.26
SODUS	8,949	\$76,352.58	0.6254	\$47,747.81
WALWORTH	8,402	\$71,685.59	1.0000	\$71,685.59
WILLIAMSON	6,777	\$57,821.15	1.0000	\$57,821.15
V.RED CREEK			0.0872	\$3,490.92
V.WOLCOTT			0.2120	\$8,485.03
WOLCOTT	4,692	\$40,032.00	0.7008	\$28,056.06
	93,765	\$800,000.00	15.0000	\$800,000.01

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

OTHER BUSINESS

Mr. Plant moved, seconded by Mr. Kelsch that one (1) resolution be allowed on the floor under Other Business.

This resolution is out of agenda order, as this revision would affect the 2010 proposed budget totals. Upon roll call, all Supervisors voted Aye. Motion carried.

RESOLUTION NO. 869-09: REVISION NO. 1 OF THE 2010 WAYNE COUNTY TENTATIVE BUDGET

Mr. Lyon presented the following:

WHEREAS, the Budget Officer has submitted the tentative budget for the fiscal year 2010; and

WHEREAS, the Wayne County Board of Supervisors is recommending revisions to said 2010 Tentative Budget; now, therefore, be it

RESOLVED, pursuant to Section 358 of the County Law, that the tentative budget is hereby revised as follows:

E6000 NURSING HOME:

E6000.51275-E7330 Physical Therapist Assistant from \$51,855.00 to \$0.00

E6000.58100-E8460 Payments to NYS Retirement from \$1,012,928.00 to \$1,006,757.00

E6000.58200-E8460 Payments to Social Security from \$688,927.00 to \$684,960.00

E6000.58401-E8460 1800 BS/BC from \$2,102,400.00 to \$2,085,651.00

E6000.58601-E8460 9206 Disability from \$33,120.00 to \$32,976.00

E6000.58901-E8460 Employee Assistance Program from \$4,870.00 to \$4,851.00

and be it further

RESOLVED, that the amount of funds to be utilized from the Nursing Home fund balance be reduced by \$78,905.00 from \$2,499,962.00 to \$2,421,057.00; and be it further

RESOLVED, that the above revision has no effect on the 2010 tax rate or tax levy.

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

RESOLUTION NO. 870-09: AUTHORIZE THE ADOPTION OF BUDGET AND APPROPRIATION FOR THE CONDUCT OF COUNTY GOVERNMENT FOR FISCAL YEAR

2010

Mr. Lyon presented the following:

WHEREAS, the tentative budget for fiscal year 2010 has been duly filed by the Budget Officer with the Board of Supervisors and a public hearing on the tentative budget has been duly held in the manner provided by law; now, therefore, be it

RESOLVED, pursuant to Section 360 of the County Law, that the tentative budget, as changed, altered and revised by resolution of the Board of Supervisors, is hereby adopted as the budget for the County of Wayne for the fiscal year 2010 and the several amounts specified for the funds and administrative units included in such budget are hereby appropriated for the objects and purposes specified.

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

Mr. Colacino requested the board to reallocate those appropriation funds to the Finger Lakes Tourism Alliance to help support the tourism industry.

Mr. Lyon noted that the Tourism budget for 2010 was not reduced but indicated that those funds would continue to be used to promote tourism in Wayne County.

Upon roll call, all Supervisors voted Aye. The Chairman declared the resolution adopted.

RESOLUTION NO. 871-09: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, NEW YORK (THE "COUNTY") (I) AUTHORIZING THE ASSIGNMENT BY THE COUNTY TO THE STATE OF NEW YORK MUNICIPAL BOND BANK AGENCY ("MBBA") OF THE COUNTY'S RECOVERY ZONE ECONOMIC DEVELOPMENT BOND ALLOCATION FOR THE PURPOSE OF HAVING MBBA ISSUE RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS ("RZEDS") TO FINANCE THE RENOVATION OF THE FORMER WAYNE COUNTY NURSING HOME (THE "PROJECT"), AND (II) DELEGATING AUTHORITY TO THE COUNTY TREASURER TO SIGN DOCUMENTS AND TAKE OTHER NECESSARY AND APPROPRIATE ACTIONS IN CONNECTION WITH A PRIVATE SALE OF THE COUNTY'S SERIAL BONDS TO MBBA AND THE ASSOCIATED ISSUANCE BY MBBA OF RZEDS AND DIRECT PAYMENT BUILD AMERICA BONDS TO FINANCE THE PROJECT

Mr. Lyon presented the following:

WHEREAS, the Board of Supervisors (the "Board") of Wayne County (the "County"), by its Bond Resolution, adopted on September 15, 2009, entitled "RESOLUTION NO. 599-09 BOND RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, NEW YORK (THE "COUNTY"), AUTHORIZING THE ISSUANCE OF UP TO \$10,000,000 IN SERIAL BONDS OF THE COUNTY TO FINANCE THE COST OF RENOVATION AND CONVERSION OF THE FORMER WAYNE COUNTY NURSING HOME BUILDING TO OFFICE SPACE FOR USE BY VARIOUS COUNTY DEPARTMENTS" (the "Bond Resolution") authorized the issuance of the County's serial bonds in the amount of up to \$10,000,000 to finance the renovation of the former Wayne County Nursing Home building located at 7312 Route 31, Lyons, New York, to consist of the partial demolition, renovation and equipping of the building for reuse as office space for various county departments, including (i) demolition of approximately 13,000 square feet of such existing building; (ii) internal renovations to approximately 97,636 square feet of space over three stories, including replacement of the heating system and the primary electrical and plumbing systems, new interior partitions, installation of an automatic sprinkler system, communications and data distribution systems, and a security system, and installation of additional insulation to exterior walls; (iii) exterior improvements including replacement of the existing roof, replacement of windows and entrances and restoration and/or replacement of damaged portions of the exterior walls; (iv) renovations to make the building handicapped accessible and to correct non-compliant building code issues, (v) construction of a surface parking area(s) for approximately 179 vehicles; (vi) related site work improvements, original furnishings, fixtures and equipment, and other incidental and appurtenant improvements, items and services (collectively, the "Project"); and

WHEREAS, the American Recovery and Reinvestment Act of 2009 ("ARRA") authorized the County to issue recovery zone economic development bonds in an amount of up to \$942,000 (the "County's RZED Allocation"), pursuant to a suballocation of the national volume cap on Recovery Zone Bonds provided by the federal Treasury Department; and

WHEREAS, the Board of Supervisors, by Resolution No. 740-09 adopted on November 17, 2009, designated the entire County as a Recovery Zone for purposes of ARRA; and

WHEREAS, the County is now considering financing the Project by participating in a bond financing program being undertaken by the State of New York Municipal Bond Bank Agency ("MBBA"), under which (i) MBBA would publicly issue, on a pooled basis, for the benefit of the County and other participating counties and municipalities, its special revenue bonds constituting recovery zone economic development bonds ("RZEDs"), and/or direct payment build America bonds ("Direct Payment BABs"); and (ii) the County would issue its serial bonds authorized under the Bond Resolution to MBBA as security for, and the source of payment of, the allocable portion of MBBA's bonds that are issued for the benefit of the County; and

WHEREAS, if the County were to finance the Project through such pooled financing, MBBA would issue for the benefit of the County up to \$942,000 (representing the full amount of the County's RZED Allocation) of RZEDs and up to \$9,058,000 of Direct Payment BABs; and

WHEREAS, the Board now intends (i) to authorize the assignment of the County's RZED Allocation to MBBA to allow for the issuance by MBBA of RZEDs to finance the Project, and (ii) to delegate authority to the County Treasurer, as the chief fiscal officer of the County, to execute any and all documents, certificates and instruments and to take such actions as County Treasurer shall determine to be reasonable and necessary in connection with the County's financing of the Project through the issuance of RZEDs and Direct Payment BABs by MBBA;

NOW THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, NEW YORK (the "County") HEREBY RESOLVES, AS FOLLOWS:

- Section 1. The County Treasurer is hereby authorized to assign to MBBA the County's RZED Allocation, in the full amount of \$942,000, for the purpose of enabling MBBA issue RZED bonds for the benefit of the County to finance the Project.
- Section 2. In connection with the issuance of the County's serial bonds authorized by the Bond Resolution in the form of a private sale to the MBBA pursuant to Section 57.00 of the Local Finance Law and the issuance by MBBA of its RZEDs and Direct Payment BABs to finance the purchase of such serial bonds of the County, the County Treasurer, as the chief fiscal officer of the County, is hereby authorized as follows:
- (a) to negotiate and approve the terms of, and to execute and deliver on behalf of the County, a bond purchase agreement or similar agreement or instrument (the "BPA") by which the County Agrees to sell its serial bonds to MBBA and MBBA agrees to issue its RZEDs and Direct Payment BABs for the benefit of the County and to purchase out of the proceeds thereof the County's serial bonds for the Project;
 - (b) to execute and deliver on behalf of the County any and all agreements, certificates, and instruments contemplated by or required under the terms of the BPA;
 - (c) to execute a certificate assigning the County's entire RZED Allocation to MBBA for the purpose of allowing MBBA to issue its RZEDs to finance the Project;
 - (d) to take such other actions as the County Treasurer shall determine, based on the advice of the County Attorney and the County's Bond Counsel, are reasonable and proper in connection with the purchase of the County's bonds by MBBA.
- Section 3. The delegation of authority to the County Treasurer set forth in Section 2 of this resolution is in addition to and not in lieu of the authority delegated to the County Treasurer by the Bond Resolution.

Section 4. This resolution shall take effect immediately.

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

ADJOURNMENT:

The next scheduled meeting of the Board is Wednesday, December 9, 2009 at 7:00 p.m. for the Public Hearing regarding the Proposed Local Law Amendment for the Recycling Program.

The regularly scheduled December Board Meeting is Tuesday, December 15, 2009 at 9:00 a.m.

Mr. Lyon moved, seconded by Mr. Lauderdale, that the board adjourn at 7:52 p.m. Carried.

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