

4th Day
Thursday, February 19, 2009
9:00 a.m.

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

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

Upon roll call, all Supervisors were present, except Supervisor Park who was absent. County Administrator James Marquette and County Attorney Daniel Wyner were also present.

APPROVAL OF MINUTES:

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

Mr. Kelsch introduced Brendon Johansson, resident from the Town of Ontario and a Junior at Wayne Central School. Brendon is joining us today as part of his requirement for his school's Internship program.

SUMMARY OF CLAIMS BY COMMITTEE:

Committee No. 1	Finance	
A13254	Treasurer	511.46
A13554	Assessment - Real Property Tax	2,348.00
A13554	Assessment - Real Property Tax	21,656.80
A13644	Expenses on Prop Acquired	9.35
A16804	Information Technology	8,837.00
A16804	Information Technology	144,034.60
A19104	Unallocated Insurance	11.60
A19304	Judgments & Claims	7,830.24
A24904	Community College	11,232.23
A74104	Library	47,182.50
H19332	Building Renovation Project	22,626.44
H19392	Route 31 Complex	34,958.31
		\$ 301,238.53
Committee No. 2	Public Safety	
A11654	District Attorney	1,537.03
A11674	Crime Victims Board Grant	66.69
A11702	Public Defender	16,360.00
A11702	Public Defender	28,496.78
A11724	Legal Defense of Indigents	71,548.38
A11734	Wayne Pre-Trial Services, Inc.	9,219.92
A11854	Coroner	12,065.30
A11904	Grand Jury	2,155.93
A31104	Sheriff	5,609.37
A31114	Sheriff - Recreational	48.88
A31124	Sheriff - Civil Office	39.52
A31134	Sheriff - Juvenile Office	26.88
A31144	Sheriff - Road Patrol	14,888.79
A31154	Sheriff - Detective Unit	288.96
A31164	Sheriff - Court Security	3,278.55

A31174	Animal Abuse Investigations	69.00
A31404	Probation	5,334.93
A31504	Sheriff – Jail	34,382.11
A31704	Other Correctional Agencies	6,875.00
A33154	Stop DWI	2,310.95
A34104	Mutual Aid (Fire Coordinator)	682.72
A36404	Emergency Management Office	19,736.76
A36424	E911 Communications	6,766.32
A36442	ALS Services	175.00
A36444	ALS Services	<u>7,621.37</u>
		\$ 249,585.14
Committee No. 3	Public Works	
A16154	Buildings & Grounds	2,878.06
A16154	Buildings and Grounds	42,708.92
A16404	Central Garage	19,768.39
A66104	Consumer Affairs (W&M)	72.89
D50104	Highway Administration	1,613.71
D50202	Highway Engineering	378.65
D51104	Maintenance of Roads & Bridges	16,116.59
D51114	Road Striping and Sign Maint	2,731.92
D51122	Road Construction	167,788.77
D51424	Snow Removal – County	766,990.15
DM51304	Road Machinery	<u>51,717.62</u>
		\$ 1,072,774.67
Committee No. 4	Economic Development & Planning	
A63264	Economic Development Admin	73,150.00
A64104	Publicity (Tourism)	1,636.00
A64104	Publicity (Tourism)	1,529.60
A64114	Tourism Matching Funds Program	3,906.82
A80204	Planning Board	43,321.17
A80254	Regional Planning Board	499.00
A86874	Economic Development Zone Admin	10,662.50
H59022	Amtrak Station	<u>37,710.00</u>
		\$ 172,415.09
Committee No. 5	Government Operations	
A10102	Legislative Board	867.90
A10104	Legislative Board	236.96
A10404	Clerk Legislative Board	1,256.23
A14104	County Clerk	77,340.28
A14104	County Clerk	2,025.49
A14204	County Attorney	763.96
A14304	Human Resources	929.59
A14314	Cafeteria Plan	690.00
A14504	Board of Elections	1,108.26
A16714	Printing Department	3,931.39
A75104	County Historian	364.49
MS17104	Administrative Fees	31,581.71
MS90554	Disability	4,187.50
S17104	Workers Comp	<u>23,344.38</u>
		\$ 148,628.14
Committee No. 6	Health & Medical Services	
A40102	Public Health	16,152.70
A40112	Public Health Service	37,882.38
A40162	PH - Early Intervention 0-1	118,718.69

A40174	PH - Child w/Spec Needs 3-5	652,325.66
A40182	Public Health Education	1,326.68
A40194	Wayne Community Nursing Care	33,601.78
A40204	PH - EMS Coordinator	196.53
A43004	Behavioral Health	87,784.40
A43224	Community Providers	402,770.00
E60004	NH Combined	4,331.49
E60004	NH Combined	216,505.50
		\$ 1,571,595.81

Committee No. 7 Human Services

A60104	Administration	16,262.00
A60104	Administration	86,112.21
A60704	Purchase of Services	1,155.16
A61094	Family Assistance	40.00
A61234	Juv Delinquent Care	1,791.46
A61404	Safety Net	800.00
A62124	WFD/DSS Intensive Employment	1,063.30
A62144	Economic Opportunity & Develop	544.90
A62174	WFD-DSS Wage Subsidy	12.96
A62934	WIA Adult	337.57
A62944	WIA Dislocated	1,182.08
A62954	WIA Youth	820.49
A62964	TANF Summer	873.60
A65104	Veteran Services	809.02
A65104	Veteran Services	6,008.66
A67724	Area Agency on Aging	56,637.83
A73104	Youth Bureau	20,023.25
		\$ 194,474.49

Warrant Total	\$ 3,710,711.87
During the Month Utilities	\$ 139,868.19
Miscellaneous Disbursements	\$ 259,258.80

Mrs. Collier moved, seconded by Mr. Kelsch, 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 January 2009 in the amount of \$18,430.24 was received and filed.

A thank you letter was received from Hope Hemingway, a Wayne County employee of the Department of Social Services, to thank the Board for the shortened workday on Christmas Eve. It was very much appreciated.

A copy of the Western Finger Lakes Solid Waste Management Authority's December 15, 2008 Board Meeting minutes were received and filed.

A letter of congratulations was received from Dale Desnoyers, Director for the NYS Department of Environmental Conservation, for satisfactorily completing the environmental restoration project that Wayne County undertook with State assistance funds provided to the 1996 Clean Water/Clean Aid Bond Act regarding the Schoepfel Chevrolet Property.

A thank you letter was received on Attorney General Andrew Cuomo for allowing Assistant Attorney General Debra Martin the opportunity to address the Board at January's Board Meeting and share information on several initiatives.

A copy of a certified resolution was received from the Ontario County Board of Supervisors regarding the agreements between Ontario County and Seneca, Wayne and Yates

Counties for course offerings at FLCC.

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

BIDS:

Wayne County Highway Department

- Stump Grinding
- Tree Removal

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

ANNUAL REPORTS:

Wayne Co. Information Technology
Wayne Co. Workforce Development
Wayne Co. Veteran Service Agency
Wayne Co. Dept. of Probation and Correctional Alternatives
Wayne Co. Stop DWI Program
Wayne Co. Clerk
Wayne Co. Board of Elections

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

PRIVILEGE OF THE FLOOR:

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

PROCLAMATIONS:

A proclamation honoring Black History Month was read by Brendon Johansson, a student from the Wayne Central School District.

UNFINISHED BUSINESS

Resolution No. 5-20 entitled "Authorization to Execute Contract with King Rehabilitation Associates, Inc." was previously tabled from the regular board session of January 20, 2009.

Mr. Kelsch moved, seconded by Mr. Colacino to remove Resolution No. 5-20 from the table. Carried.

RESOLUTION NO. 5-20: AUTHORIZATION TO EXECUTE CONTRACT WITH KING REHABILITATION ASSOCIATES, INC.

Mrs. Collier presented the following:

WHEREAS, Wayne County is desirous of ratifying a contract between the County of Wayne and King Rehabilitation Associates, Inc. for the period January 1, 2009 through December 31, 2011 to provide Early Intervention Medical Care Management and Transitional Progressive Return to Work Program for Wayne County employees covered by the Wayne County Self-Insurance Plan for Worker's Compensation; now, therefore, be it

RESOLVED that the Chairman of the Board of Supervisors is hereby authorized to sign a contract for the period January 1, 2009 through December 31, 2011 (two year contract) with King Rehabilitation Associates, Inc. to provide Early Intervention Medical Care Management and Transitional Progressive Return to Work Program for Wayne County employees covered by the Wayne County Self-Insurance Plan for Worker's Compensation, at a cost not to exceed fifty thousand dollars and 00/100 (\$50,000.00) each year.

Mrs. Collier moved to postpone said resolution indefinitely. Seconded by Mr. Colacino, carried.

Resolution No. 6-11 (Res. No. 108-09) Entitled "Authorization to Execute Amendment to the Zoonosis Program Budget, Contract # C-023223, with the NYSDOH" was previously tabled from the regular board session of January 20, 2009.

Mr. Kelsch moved, seconded by Mrs. Collier to remove Resolution No. 6-11 from the table. Carried.

RESOLUTION NO. 108-09: AUTHORIZATION TO EXECUTE AMENDMENT TO THE ZONOSIS PROGRAM BUDGET, CONTRACT # C-023223, WITH THE NYSDOH

Mrs. Crane presented the following:

WHEREAS, during the Special Session of Legislature called by Governor Paterson on August 19, 2008, reductions were made to the Rabies contract for period 4/1/08 – 3/31/09 of the Zoonosis program; and

WHEREAS, the above contract was reduced by \$1,036, requiring counties to sign modified budgets; now, therefore, be it

RESOLVED, the Chairman of the Board is hereby authorized to execute an amendment to the Zoonosis Program Rabies contract # C-023223 budget with the NYSDOH, subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, the WCPH Department will attempt to implement measures to assure the above budget reduction will not be a county cost, however, if a Rabies case is identified, a county cost may occur.

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

RESOLUTION NO. 109-09: AUTHORIZATION TO RESCIND RESOLUTION 643-08 - HILLSIDE CHILDREN'S CENTER RUNAWAY PROGRAM CONTRACT

Mr. Hammond presented the following:

WHEREAS, pursuant to Resolution No. 643-08, the Department of Aging and Youth requested authorization to contract with Hillside Children's Center to administer the Runaway Youth Program from January 1, 2009 through December 31, 2009; and

WHEREAS, Governor Paterson's 2009-2010 Executive Budget recommends the creation of a block grant combining OCFS Secure, Non-secure Detention, RHY, YDDP, SDPP and Alternatives to Residential Funding. In addition to combining mandated and preventive funding into one block grant; the total proposed allocation has been reduced by 24.5%; and

WHEREAS, the Department of Aging and Youth is rescinding Resolution 643-08 to contract with Hillside Children's Center for the Runaway Program since all contracted services are contingent on OCFS funding allocations; and

WHEREAS, the budget reductions were proposed prior to the contract being fully executed thus preventing the need to terminate the contract; and

WHEREAS, due to the proposed funding reductions the Department of Aging and Youth is requesting to administer the Runaway Program directly with existing staff; now, therefore, be it

RESOLVED, to rescind Resolution No. 643-08 to contract with Hillside for the Runaway Program; and further be it

RESOLVED, that the appropriate budget modifications are pended until the Office of Children and Family Services (OCFS) final allocations have been determined.

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

RESOLUTION NO. 110-09: AUTHORIZING AGREEMENT WITH WAYNE COUNTY ACTION PROGRAM, INC. FOR PAYMENT OF 2009 COUNTY APPROPRIATIONS FOR COMMUNITY

ACTION PROGRAMS

Mr. Hammond presented the following:

WHEREAS, Wayne County Action Program, Inc. ("Wayne CAP") is a non-profit agency established and operating under the provisions of the Economic Opportunity Act of 1964, as amended, for the purpose of conducting various community action programs relating to the general welfare of the inhabitants of Wayne County; and

WHEREAS, pursuant to Section 99-h of the General Municipal Law, the Board of Supervisors of the County of Wayne has appropriated funds for the year 2008 to be used to help defray the portion of the costs of certain programs which are not reimbursed by the Federal government, as follows:

Wayne County Action Program, Inc. \$43,983

now, therefore, be it

RESOLVED, pursuant to Section 99-h of the General Municipal Law, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute an agreement with Wayne CAP providing for payment of such appropriations in one lump-sum payment in the amount of \$43,983 upon submission by Wayne CAP of a claim for payment and after audit and approval of the claim by the Board of Supervisors; and be it further

RESOLVED, that the contract shall include the following terms and conditions:

- (1) Wayne CAP shall certify that it has obtained such approvals of its programs as may be required by law.
- (2) Wayne CAP shall file annually with the Clerk of the Board of Supervisors or at such more frequent periods as may be required by the Board, a financial report with respect to the programs funded by these appropriations.
- (3) Wayne CAP shall make available its books, records, accounts and other data for inspection and audit by the County.
- (4) Wayne CAP shall defend, indemnify, hold harmless, the County and its officers, employees and agents against any and all claims, losses, damages, and lawsuits for damages arising out of or related to the programs and services provided or conducted by Wayne CAP.

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

RESOLUTION NO. 111-09: AUTHORIZATION TO PURCHASE FOUR PULSE OXIMETERS FOR PUBLIC HEALTH DEPARTMENT AND TRANSFER FUNDS

Mrs. Crane presented the following:

WHEREAS, Wayne County Public Health's Certified Home Health Agency (CHHA) frequently receive orders from physicians to perform O2 Saturation levels on their patients receiving Oxygen Therapy or are being managed for Respiratory illness; and

WHEREAS, the agency currently has two Pulse Oximeters for the clinical staff to use; and

WHEREAS, the agency is in need of four additional Pulse Oximeters to handle the volume; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to purchase two additional Pulse Oximeters at a cost not to exceed \$600.95; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to transfer funds as follows:

\$601.00 from Account No. 40192.52300 (Motor Vehicles) to Account No. A40192.52200 (Office Equipment)

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

RESOLUTION NO. 112-09: AUTHORIZATION TO TRANSFER FUNDS FOR EARLY INTERVENTION

Mrs. Crane presented the following:

WHEREAS, resolution No. 926-08 in December 2008 created an Early Intervention

Coordinator position by abolishing a Public Health Nurse position; and
WHEREAS funding for this position needs to be established in the 2009 budget; now,
therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to transfer funds as follows:
\$30,000 from Account No. A40161.51302 (PHN) to Account No. A40161.51521 (Early Intervention Coord.)

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

RESOLUTION NO. 113-09: AUTHORIZATION TO EXECUTE CONTRACTS WITH PROVIDERS FOR SERVICES FOR CANCER SCREENING PARTNERSHIP GRANT

Mrs. Crane presented the following:

WHEREAS, the county must contract for the provision of services (clinical breast exam, pelvic exams, pap smears, colorectal screening and the follow-up procedures) for eligible men and women to the program; and

WHEREAS, the providers are willing to provide such service at the most recent Medicare Regions rates approved by the NYS Department of Health; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract, subject to the County Attorney's approval as to form and content, with the following providers on behalf of Wayne County Public Health Service, subject to the provider being in compliance with the County's insurance for the contract period 4/1/09 to 3/31/2010, at an amount not to exceed \$250,000.

Contractors are:

Anesthesia Associate of Rochester, PC
Daniel Biery DO
Canal Park Family Medicine
Clifton Springs Hospital & Clinic/Finger Lakes Breast Care
Elizabeth Wende Breast Care, LLC
Finger Lakes Health
Finger Lakes Gastroenterology
Finger Lakes Medical Associates, LLP
Finger Lakes Women's Health
Robert Helft MD
Faig Morgos MD
Quest Diagnostics, Inc
Rochester General Hospital
Rochester General Hospital – Dept. of Surgery
ViaHealth of Wayne
Wayne Medical Group

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

RESOLUTION NO. 114-09: AUTHORIZATION TO APPOINT MEMBER TO THE WAYNE COUNTY PUBLIC HEALTH'S HEALTH SERVICES ADVISORY BOARD

Mrs. Crane presented the following:

WHEREAS, Carmen Pascarella, Jr.'s term on the Health Services Advisory Board has expired, and

WHEREAS, Carmen Pascarella, Jr. has agreed to continue his membership on the Health Services Advisory Board for another term; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to appoint Carmen Pascarella Jr to serve on the Health Services Advisory Board effective January 1, 2009 to December 31, 2011.

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

call, adopted.

RESOLUTION NO. 115-09: AUTHORIZATION TO RENEW CONTRACT WITH NURSE PRACTITIONER FOR WAYNE COUNTY PUBLIC HEALTH

Mrs. Crane presented the following:

WHEREAS, Wayne County Public Health (WCPH) wishes to renew its contract with Janine Quinlan, Nurse Practitioner, to continue providing part-time services to the STD/HIV Clinic, attendance to pertinent trainings, and to provide in-service education and consultation to the clinic staff upon request; and

WHEREAS, the contractor has negotiated a \$1.50 / hr increase; and

WHEREAS, service will be provided for not more than six hours per week at a rate of \$51.50/hour, not to exceed \$12,870 per year; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to renew the contract with Janine Quinlan, Nurse Practitioner, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content for the period 3/1/2009 to 2/28/2010, services will be provided for not more than six hours per week at a rate of \$51.50/hour, not to exceed \$12,870 per year.

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

RESOLUTION NO. 116-09: AUTHORIZATION TO PURCHASE CELL PHONE REPEATER FOR WAYNE COUNTY PUBLIC HEALTH

Mrs. Crane presented the following:

WHEREAS, the Wayne County Health Services Building has poor cell phone reception; and

WHEREAS, in case of power outages, the Wayne County Public Health (WCPH) emergency preparedness clinical staff would need access to cell phone reception in order to respond to health related emergencies; and

WHEREAS, the cell phone repeater is financially budgeted for in Account No. A40112.52200 but the item was not specifically listed in the Addendum to the budget; now, therefore, be it

RESOLVED, that the Director of Public Health and the Director of Information Technology be authorized to purchase a cell phone repeater at a cost not to exceed \$1,943.00.

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

RESOLUTION NO. 117-09: AUTHORIZATION TO AMEND THE IMMUNIZATION ACTION PLAN PROGRAM BUDGET, CONTRACT # C-023279, WITH THE NYSDOH AND AMEND 2009 BUDGET

Mrs. Crane presented the following:

WHEREAS, during the Special Session of the legislature called by Governor Paterson on August 19, 2008, reductions were made to the Immunization Action Plan (IAP) contract for the period 4/1/08 – 3/31/09; and

WHEREAS, the above contract was reduced by \$1,683.00, requiring the county to sign modified budgets; now, therefore, be it

RESOLVED, that the Chairman of the Board is authorized to amend the Immunization Action Plan, contract # C-023279, budget with the NYSDOH, subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the County Treasurer is authorized to amend the 2009 Public Health budget as follows:

Reduce 40114.54443 (PHS Immunization) by \$500

Reduce 40114.54441 (IAP Grant) by \$655

Reduce 40114.54456 (PHS Printing) by \$248

Reduce 40112.52200 (IAP Office Equipment) by \$280
Reduce revenue 40110.44457 (IAP) by \$1,683

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

RESOLUTION NO. 118-09: AUTHORIZATION TO PURCHASE COMPUTER EQUIPMENT (PRINTER) FOR PUBLIC HEALTH

Mrs. Crane presented the following:

WHEREAS, the accounting department printer is unserviceable due to age (12 yrs); and
WHEREAS, there are funds available in Account No. A4010.52201, due to the total cost of the computers being less than anticipated; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to purchase a printer at a cost not to exceed \$ 520.00.

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

RESOLUTION NO. 119-09: AUTHORIZATION TO EXTEND APPOINTMENT OF INTERIM DIRECTOR OF PUBLIC HEALTH

Mrs. Crane presented the following:

WHEREAS, Wayne County Board of Supervisors appointed Diane Devlin to the position of Interim Director of Public Health for a ninety day period effective December 1, 2008; and

WHEREAS, the Civil Service examination for the title was given on January 24, 2009; and

WHEREAS, the results of this examination will not be available from NYS Civil Service for approximately eight to ten weeks; and

WHEREAS, the County wishes to continue the orderly transition and administration of the Department until the position is filled on a permanent basis; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby extends the Interim appointment until April 1, 2009.

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

RESOLUTION NO. 120-09: AUTHORIZATION FOR TRANSFER OF VACATION LEAVE TIME FOR WAYNE BEHAVIORAL HEALTH NETWORK EMPLOYEE

Mrs. Crane presented the following:

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

The following employees listed below donate vacation leave hours as noted:

Kim Bautista – 5
Catherine Bump – 5
Wendi Edwards – 5
Eileen Ersteniuk – 5
Adele Garvey – 5
Tammy Graham – 5
Carol Gurciullo – 3
William Hammond – 5
Kathryn Haynes – 5
Amy Henkel – 5
Melody Hitchner – 5
Kathy Hunt – 5
Maria Jones – 5
Teresa Loveless – 4
Patty McKinny – 5
Anthony Milonni – 5

Bonnie Reynolds – 5
J. Mark Reynolds – 5
LaVaughn Rynearson – 5
Kelly Smith-Mirisoloff – 2
Patty Uhl – 5
Timothy VanDuyne – 3
Stacey Welch – 3
James Haitz - 5

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to transfer a total of 110 hours of leave time; and be it further

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

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

RESOLUTION NO. 121-09: AUTHORIZATION FOR WAYNE BEHAVIORAL HEALTH NETWORK TO CONTRACT FOR A TEMPORARY SUBSTANCE ABUSE COUNSELOR TO PROVIDE ALCOHOL & SUBSTANCE ABUSE TREATMENT SERVICES

Mrs. Crane presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) has a full-time Substance Abuse Counselor out on an extended disability leave with an undefined length of absence; and
WHEREAS, WBHN continues to remain in essential need of these staff services in order to provide and maintain adequate treatment services to patients and also in order to meet compliance with the New York State Office of Alcohol & Substance Abuse Services (NYS OASAS) regulations associated with our licensed treatment program; now, therefore, be it

RESOLVED, that the Director of WBHN is hereby authorized to contract for a qualified individual in accordance with NYS OASAS regulations, and in order to provide the essential services, and the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the individual that the Director selects, to provide such Substance Abuse Counseling services as defined by the Director, on a temporary basis at an hourly rate not to exceed \$40.00/hour for the period of February 20, 2009 and not to exceed July 31, 2009.

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

RESOLUTION NO. 122-09: AUTHORIZATION TO AMEND MENTAL HEALTH DEPT. 2009 BUDGET FOR CONSTRUCTION-REMODEL PROJECT

Mrs. Crane presented the following:

WHEREAS, the previously approved and budgeted project to remodel vacant space in the Mental Health Department for Medical Records-Office Space was started late in the year to accommodate scheduling of the Buildings & Grounds Department; and

WHEREAS, the project construction & costs will actually overlap in two budget cycles (2008 & 2009), and therefore the timing for Buildings & Grounds Department to access the previously approved budgeted funds will better coincide within the 2009 budget year; now, therefore, be it

RESOLVED, that funding for the project (which is obtained from department revenue sources and no county funds are involved) will now be allocated in the Mental Health Department's 2009 budget as detailed below and the following budget amendments are authorized:

A43004.54396.M8200 from \$8,000 to \$58,000 (Bldg Maint Work Orders)

A43000.44469.M8200 from \$595,103 to \$645,103 (MH Salary Sharing Funds)

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

RESOLUTION NO. 123-09: AUTHORIZATION TO AMEND RESOLUTION NO. 85-09 TO EXECUTE AN AGREEMENT BETWEEN ELDER MEDICAL SERVICES PC AND THE WAYNE COUNTY NURSING HOME

Mrs. Crane presented the following:

WHEREAS, the contract with Elder Medical Services expires on February 29, 2009; and

WHEREAS, the renewal date should be from March 1, 2009 through February 28, 2010, at a cost not to exceed \$33,516 or \$2,793 a month (2008 Rate was \$31,920); now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute the contract effective March 1, 2009, subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that Resolution No. 85-09 is hereby amended.

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

The Clerk read the following Notice of Public Hearing for Proposed Local Law for providing for changes in the salaries of certain County Officers during their term of office.

**COUNTY OF WAYNE
NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW**

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on Thursday, February 19, 2009, at 9:15 a.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

COUNTY OF WAYNE – STATE OF NEW YORK

A Local Law providing for changes in the salaries of certain County officers during their term of office.

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

SECTION 1. The annual salary of the County Treasurer shall be \$68,590 effective January 1, 2009.

SECTION 2. The annual salary of the County Clerk shall be \$70,279 effective January 1, 2009.

SECTION 3. The annual salary of the County Coroner shall be \$37,283 effective January 1, 2009.

SECTION 4. The annual salary of the Commissioner of Social Services shall be \$83,502 effective January 1, 2009.

SECTION 5. The annual salary of the County Administrator shall be \$113,300 effective January 1, 2009.

SECTION 6. The annual salary of the County Attorney shall be \$90,146 effective January 1, 2009.

SECTION 7. The annual salary of the Public Defender shall be \$84,726 effective January 1, 2009.

SECTION 8. The annual salary of the Fire Coordinator shall be \$27,178 effective January 1, 2009.

SECTION 9. The annual salary of the Director of Real Property Tax Service shall be \$61,800 effective January 1, 2009.

SECTION 10. The annual salary of the Human Resource Director shall be \$80,000

effective January 1, 2009.

SECTION 11. The annual salary of the Superintendent of Highways shall be \$74,263 effective January 1, 2009.

SECTION 12. The annual salary of the Sheriff shall be \$86,508 effective January 1, 2009.

SECTION 13. The annual salary of the District Attorney shall be \$128,186 effective January 1, 2009

SECTION 14. An incumbent holding a position subject to the provisions of Sections 1 through 12 of this local law at the time during the period from the effective date of the salary increase for such position until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefore, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.

SECTION 15. If any clause, sentence, paragraph, part or provision of this local law shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part or provision thereof directly involved in the controversy in which such judgment is rendered.

SECTION 16. This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof, in the manner provided by law.

SECTION 17. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2009.

Dated: January 27, 2009
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

The Chairman opened the floor for public comment. After time was given for all interested people to be heard, Mr. Fabino moved, seconded by Mrs. Crane, that the public hearing be closed. Upon roll call, carried.

Mrs. Shirley Bement, Director of the Real Property Tax Services, addressed the Board for today's scheduled presentation of *A Review of Property Tax Assessment Options for Wayne County.*

Mrs. Bement introduced Joseph Stefko, Project Director, along with Scott Sittig, Project Manager, of CGR, Inc. (Center for Governmental Research).

NYS Office of Real Property Services (ORPS) introduced the Centralized Property Tax Administration Program (CPTAP) in for the purpose to study with an independent review of tax collection and assessment functions across New York State. The overview of this study is to assist Counties to independently look at assessments and provide options.

Chairman Hoffman requested the Board to take a short recess at 9:50 a.m.

The Board resumed regular session at 10:00 a.m.

Chairman Hoffman introduced Congressman Dan Maffei and welcomed him to today's Board Meeting. Congressman Maffei thanked everyone for this opportunity to address the Wayne County Board of Supervisors and discussed a few issues he had been working on to best represent the residents in Wayne County and surrounding region in Washington. He sincerely appreciates the support and insists that by working together, we can make a

difference for Central New York.

The Congressman entertained questions from the board and audience.

Colonel Philip Wagner, resident of the Town of Butler and President of the Wayne County Farm Bureau, asked the Congressman for his views on a comprehensive bill on immigration.

The Congressman responded by saying that he understood the importance of migrant workers to Wayne County Farmers and that the current visa program is very limited and needs major reform.

Supervisor Groat, on behalf of the Board of Supervisors, presented a composite picture of Board Members to Congressman Maffei and thanked him for his visit to Wayne County.

Chairman Hoffman requested a short recess at 10:25 a.m. for people to personally meet with Congressman Maffei.

The Board resumed regular session at 10:38 a.m.

Mr. Thomas Warnick, Wayne County Treasurer, addressed to board to comment and clarify a few questions regarding the presentation that was given earlier pertaining to property tax assessment options for Wayne County.

RESOLUTION NO. 124-09: AUTHORIZATION TO PAY FOR EMS HARDWARE AND SOFTWARE FOR THE BOARD OF ELECTIONS

Mrs. Collier presented the following:

WHEREAS, EMS is an election management system that will be required for the Board of Elections to configure our ballots for the optical scanning machines to be used beginning in 2009; and

WHEREAS, the new optical scanning voting machines planned for use in 2009 will require preprinted ballots for use by the voters; and

WHEREAS, the configuration of ballots for 2008 were done by the equipment vendor, but starting in 2009 ballot configuration will be done by our department and submitted to the vendor for printing; and

WHEREAS, to accomplish this task the Board of Elections will need to purchase the necessary hardware, software, and training from Sequoia to configure preprinted election ballots; now, therefore, be it

RESOLVED, that the Wayne County Board of Elections is authorized to purchase such hardware and software at a cost of \$78,335.00 from our HAVA funds through OGS; and be it further

RESOLVED, that the County Treasurer is authorized to amend the 2009 budget for the Wayne County Board of Elections to pay the County's 5% match of funds at a total cost divided by 19 to equal \$4,123.00 as follows:

A1450 – Board of Elections:

\$4,123.00 to .52500 Other Equipment

A1990 – Contingent General Fund:

\$4,123.00 from .54000 Contractual Expense

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

Prior to presentation, Mrs. Collier moved, seconded by Mr. Kelsch, that SECTION 14 of Resolution No. 125-09 be amended; and the complete resolution to read as follows:

RESOLUTION NO. 125-09: ADOPTION OF LOCAL LAW PROVIDING FOR CHANGES IN SALARIES OF CERTAIN COUNTY OFFICERS DURING THEIR TERM OF OFFICE (2009)

Mrs. Collier presented the following:

WHEREAS, a proposed local law in relation to providing for changes in the salaries of certain County officers during their term of office was presented to the Board of Supervisors on Tuesday, January 20, 2009; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors on Thursday, February 19, 2009 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 is hereby adopted to read as follows:

COUNTY OF WAYNE – STATE OF NEW YORK

A Local Law providing for changes in the salaries of certain County officers during their term of office.

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

SECTION 1. The annual salary of the County Treasurer shall be \$68,590 effective January 1, 2009.

SECTION 2. The annual salary of the County Clerk shall be \$70,279 effective January 1, 2009.

SECTION 3. The annual salary of the County Coroner shall be \$37,283 effective January 1, 2009.

SECTION 4. The annual salary of the Commissioner of Social Services shall be \$83,502 effective January 1, 2009.

SECTION 5. The annual salary of the County Administrator shall be \$113,300 effective January 1, 2009.

SECTION 6. The annual salary of the County Attorney shall be \$90,146 effective January 1, 2009.

SECTION 7. The annual salary of the Public Defender shall be \$84,726 effective January 1, 2009.

SECTION 8. The annual salary of the Fire Coordinator shall be \$27,178 effective January 1, 2009.

SECTION 9. The annual salary of the Director of Real Property Tax Service shall be \$61,800 effective January 1, 2009.

SECTION 10. The annual salary of the Human Resource Director shall be \$80,000 effective January 1, 2009.

SECTION 11. The annual salary of the Superintendent of Highways shall be \$74,263 effective January 1, 2009.

SECTION 12. The annual salary of the Sheriff shall be \$86,508 effective January 1, 2009.

SECTION 13. The annual salary of the District Attorney shall be \$128,186 effective January 1, 2009

SECTION 14. An incumbent holding a position subject to the provisions of Sections 1 through 13 of this local law at the time during the period from the effective date of the salary increase for such position until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefore, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.

SECTION 15. If any clause, sentence, paragraph, part or provision of this local law shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part or provision thereof directly involved in the controversy in which such judgment is rendered.

SECTION 16. This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof, in the manner provided by law.

SECTION 17. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2009.

Upon roll call on the amendment, all Supervisors voted Aye. Absent – Supervisor Park. The Chairman declared the motion carried.

Mr. Fabino moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, all Supervisors voted Aye, except Supervisors Spickerman, Fabino, Lyon and Lauderdale, who voted Nay. Absent – Supervisor Park. The Chairman declared the Resolution adopted.

RESOLUTION NO. 126-09: AUTHORIZE ADOPTING THE 2009 WAYNE COUNTY DISABILITY BUDGET-MS FUND

Mrs. Collier presented the following:

WHEREAS, the 2009 County Budget needs to be amended for the costs associated with the Disability Program; now therefore be it

RESOLVED, that the Wayne County Board of Supervisors does hereby approve the 2009 budget for the Disability Program and authorize the County Treasurer to amend the 2009 Budget as follows:

REVENUES:

MS9055.42709	Employee Contributions	\$ 23,000.00
MS9055.42801	Interfund Reimbursement of Expenses	\$ 136,000.00
MS9055.54000	Contractual Expense	\$ 15,600.00
MS9055.58600	Disability	\$ 143,400.00

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

RESOLUTION NO. 127-09: AUTHORIZATION TO INCREASE HOURS OF PART-TIME CLERK IN THE OFFICE OF THE COUNTY HISTORIAN

Mrs. Collier presented the following:

WHEREAS, the County Historian has determined that the need for an additional 0.1 EFT per year or 7 hours per pay period will be required to provide office administrative operations and in order to fulfill the influx of research requests for services offered by the Office of the Historian from January 1 through December 31, 2009; now, therefore, be it

RESOLVED, that the Historian Clerk PT in the Office of the Historian is hereby authorized to work up to 42 hours in a two week period for the period January 1 through December 31, 2009; and be it further

RESOLVED, that the 2009 Approved Budget for the Dept 7510 Historian has the appropriate provisions for this increase.

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

RESOLUTION NO. 128-09: RESOLUTION AMENDING RESOLUTION NO. 375-91AMEND PROCEDURE FOR SURPLUS VEHICLE DISPOSITION

Mrs. Collier presented the following:

WHEREAS, the County Administrator has previously indicated to the Government Operations Committee that a change to the Surplus Vehicle Disposition Procedure may be prudent and that the Procedure would be reviewed; and

WHEREAS, a review of the procedure has been conducted; and

WHEREAS, the County Administrator has recommended that the county include town, village, and other governmental entities in the procedure; now therefore be it

RESOLVED that the Wayne County Board of Supervisors hereby adopts this

SURPLUS VEHICLE DISPOSITION PROCEDURE:

1. As soon as a replacement vehicle is put into service, the department head shall deliver the replaced vehicle to Central Garage and notify in writing both Central Garage and the Purchasing Agent of the availability of this vehicle. If the vehicle is no longer serviceable the Department Head shall submit a resolution transmittal declaring the vehicle as surplus.
2. Central Garage shall evaluate the vehicle and shall complete a form with all the pertinent information about the vehicle and also the condition and suggested sale price based upon the NADA Blue Book Wholesale Price. If due to age the vehicle is not listed in the Blue Book, the Central Garage and the Highway Superintendent shall provide an estimate of value. A copy of this form shall be sent to the Purchasing Agent. All county departments with vehicles will be notified of the availability of this vehicle. If Central Garage determines that the vehicle is no longer serviceable it shall notify the Purchasing Agent who will file a resolution transmittal declaring the vehicle as surplus.
3. Any department wishing to acquire this vehicle will immediately notify the Purchasing Agent in writing. These requests will be reviewed and then sent to the County Administrator with a recommendation to transfer the vehicle to a specific department. If the County Administrator concurs, the request will be forwarded to the appropriate Standing Committee.
4. If there are no requests received for the vehicle or it is decided not to assign it to any other department, all Town Supervisors, and Village Clerks will be notified by the Purchasing Agent of the availability of this vehicle and a deadline date for their response. Town's and Villages are responsible for notifying any other entities within their jurisdiction.
5. Any Town, Village, or other governmental entity/authority/Fire Company/Fire District based in Wayne County wishing to acquire this vehicle should indicate their interest in this vehicle in writing to the Purchasing Agent.
6. The County Administrator and the Board of Supervisors will review the requests and make a determination as to the disposal of the vehicle. The following priority guidelines are established:
 - a. If more than one request is received, priority will be given to entities that have not previously purchased a vehicle from the county.
 - b. After the first priority has been taken into consideration, consideration will be given to requests in the order said requests are received in writing by the Purchasing Agent.
 - c. After all the above are considered, the County Administrator and Government Operations Committee will recommend to the Board the disposition of the vehicle.
7. The Board will adopt a resolution for the disposition of the vehicle. The Purchasing Agent will forward a copy of said resolution to the governmental entity whose request has been accepted. Said governmental entity shall within forty-five days of said notification forward the purchase price to the Purchasing Agent. All papers and titles will then be processed and sent to the government entity.
8. Any vehicle sold will be sold "as is" and "where is" and it will become the sole property of the entity making the purchase.
9. If a vehicle is not transferred to a department or sold to a government entity it will be declared surplus and be disposed in accordance with county policy.

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

RESOLUTION NO. 129-09: AUTHORIZE AGRICULTURAL DEVELOPMENT BOARD TO CONDUCT SURVEY OF FARM OWNERS AND TRANSFER FUNDS

Mr. Spickerman presented the following:

WHEREAS, Resolution 49-07 authorized the Agriculture Development Board to update the Agriculture and Farmland Protection Plan at no cost to the County; and

WHEREAS, the Agriculture Development Board has determined that a direct mail survey of farm owners is the most affordable and effective tool available for obtaining input from Wayne County's farm business community for inclusion in the updated plan; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes an expenditure not to exceed \$250 for the above referenced direct mail survey.

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

RESOLUTION NO. 130-09: AUTHORIZATION TO TRANSFER BALANCES OF FUNDS AT THE END OF 2008 IN THE JOINT MUNICIPAL IMPROVEMENTS PROGRAM AND THE INDUSTRIAL DEVELOPMENT PROGRAM TO BE APPROPRIATED IN 2009

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne funds a Joint Municipal Improvement Project program and the Industrial Development program which cross several fiscal years; and

WHEREAS, the funds obligated but not expended in 2008 need to be added to the 2009 County Budget; and

WHEREAS, the County closed these accounts out to fund balance at the end of 2008; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$742,412.00 in funds from the Appropriated Fund Balance as follows:

A6326 - ECONOMIC DEVELOPMENT ADMINISTRATION:

\$253,740.00 to A6326.54552 Joint Municipal Program

\$488,672.00 to A6326.54553 Industrial Development Sites

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

RESOLUTION NO. 131-09: RESOLUTION URGING CONTINUATION OF EMPIRE ZONE PROGRAM

Mr. Spickerman presented the following:

WHEREAS, the economic stability and sustainability of Wayne County is vital to its residents and businesses; and

WHEREAS, Wayne County Board of Supervisors is desirous of a balanced economy existing of a range of various types of business, industry, tourism and recreation; and

WHEREAS, Wayne County is cognizant of the need for additional economic growth to attain such stability and sustainability; and

WHEREAS, the tax revenue generated by businesses throughout Wayne County and the State of New York provide much needed relief to the individual taxpayers and their families; and

WHEREAS, jobs provided by businesses throughout Wayne County and the State of New York provide individual taxpayers and their families the ability to sustain households; and

WHEREAS, the New York State Empire Zone program has been a proven stimulus in the growth and revitalization of weakened local economies throughout New York State; and

WHEREAS, the New York State Empire Zone program has been successful in bringing hundreds of thousands of new jobs to its sponsoring counties; and

WHEREAS, the Wayne County Empire Zone, established in 2002, has proven successful in its operation and thus attraction and retention of businesses and job creation for the people of Wayne County; and

WHEREAS, the New York State Empire Zone program has shown great promise for the

economy of Wayne County and peaked interest of prospective businesses inquiring from outside of New York State; and

WHEREAS, the New York State Empire Zone program has a planned sunset date of June 30, 2011; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors, in anticipation of great success and promise for new job creation within its Empire Zone, hereby requests the State of New York to continue its Empire Zone stimulus program beyond 2011 to June 30, 2017; and be it further

RESOLVED, that the New York State Legislature, in an effort to maintain continuity and a positive momentum, is encouraged to enact legislation before the end of the 2009 legislative session which will enable the continued existence of the Empire Zone program through June 30, 2017; and be it further

RESOLVED, that certified copies of this resolution be distributed to Senator Michael Nozzolio, Assemblyman Robert Oaks, Wayne County Board of Supervisors, Brian McMahon, the Wayne County Empire Zone Administration Board, the Governor of New York and digitally distributed to other Empire Zone administrators and Industrial Development Agencies.

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

RESOLUTION NO. 132-09: SET PUBLIC HEARING FOR INCLUSION OF LAND IN A CERTIFIED AGRICULTURAL DISTRICT

Mr. Spickerman presented the following:

WHEREAS, the Board of Supervisors, as required by NYS Agriculture and Markets Law 303-b, designated January 1 to January 31 as the annual 30 day review period when landowners may submit a request to the County for inclusion in certified agricultural districts prior to established agricultural district review periods; and

WHEREAS, several landowners have requested to have their actively farmed land included in the certified agricultural district; and

WHEREAS, before these properties can be formally included in the Agricultural District No. 1, the Board of Supervisors must hold a public hearing; now, therefore be it

RESOLVED, that the Board of Supervisors will hold a public hearing for the modification of Agricultural District No. 1 on **Tuesday, March 17, 2009 at 7:15 p.m.** in the Supervisors Chambers of the Wayne County Courthouse, 26 Church Street, Lyons.

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

RESOLUTION NO. 133-09: AUTHORIZING CONTRACT WITH WAYNE COUNTY SOIL AND WATER CONSERVATION DISTRICT TO ADMINISTER THE 2009 AQUATIC WEED HARVESTING PROGRAM

Mr. LeRoy presented the following:

WHEREAS, Resolution No. 797-07 authorized the County of Wayne to contribute \$44,100.00 in funding contingent on the Towns of Sodus, Wolcott and Huron contributing \$15,000.00 in total for aquatic weed harvesting; and

WHEREAS, the County of Wayne is desirous in entering into an agreement with the Wayne County Soil and water Conservation District to administer a aquatic weed harvesting program on the four (4) public water bodies identified as Sodus bay, East Bay, Port Bay and Blind Sodus Bay; and

WHEREAS, the County of Wayne has appropriated \$44,100.00 in the 2009 County Budget for weed harvesting; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to sign an agreement, upon the review and approval of the County Attorney, with the Wayne County Soil and Water Conservation district, to administer an aquatic weed harvesting program on the four (4) public water bodies identified as Sodus bay, East Bay, Port Bay and Blind Sodus Bay for 2009 for an amount not to exceed \$44,100.00 providing that the Towns of Sodus, Wolcott and Huron

contribute \$15,000.00 in total for aquatic weed harvesting; and be it further

RESOLVED, that the County is hereby authorized to make payments to the Wayne County Soil and Water Conservation District per the terms and conditions of the agreement.

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

RESOLUTION NO. 134-09: AUTHORIZATION TO EXECUTE AGREEMENTS FOR ENGINEERING DESIGN SERVICES FOR FEDERAL ECONOMIC STIMULUS PROJECTS THROUGH THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mrs. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department has solicited the 15 short listed engineering firms with a request of proposal for engineering services related to the possible Federal Economic Stimulus Projects; and

WHEREAS, if any Wayne County Highway Projects receive funding, these projects have to be designed approved by FHWA, and ready for construction within 120 days; and

WHEREAS, in an effort to follow the aggressive schedule associated with the possible funding, it is necessary to have the engineering work begin as soon as funding is allocated; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with engineering firm(s) for engineering design services not to exceed \$30,000 per contract.

Mr. LeRoy moved, seconded by Mrs. Collier, that Resolution No. 134-09 be amended to read as follows:

"RESOLUTION NO. 134-09: AUTHORIZATION TO EXECUTE AGREEMENTS AND TRANSFER FUNDS FOR ENGINEERING DESIGN SERVICES FOR FEDERAL ECONOMIC STIMULUS PROJECTS THROUGH THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department has solicited the 15 short listed engineering firms with a request of proposal for engineering services related to the possible Federal Economic Stimulus Projects; and

WHEREAS, five (5) Wayne County Highway Projects will receive funding, and these projects have to be designed, approved by FHWA, and ready for construction within 120 days; and

WHEREAS, three (3) of these projects will require detailed design documents; and

WHEREAS, in an effort to follow the aggressive schedule associated with the possible funding, it is necessary to have the engineering work begin as soon as funding is allocated; and

WHEREAS, after review of the proposals and the list of funded projects, the following projects will progress by consultants:

- FRA Engineers - CR 103 (Ridge Rd) (E. Williamson Hamlet to Van Slyke Road) - roadway rehabilitation
- Hunt Engineers - Christian Holler Road bridge deck replacement
- Lu Engineers - CR 203(Atlantic Ave) (Downs Rd to NY Route 350) - roadway rehabilitation

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with engineering firms for engineering design services not to exceed \$30,000 per contract; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to create line items and transfer funds as listed below to the following accounts:
\$30,000 from D51122.52611 – West Walworth Road Hamlet
\$30,000 from D51122.52612 – Walworth Road Resurfacing
\$30,000 from D51122.52900 – Bridge Construction
\$30,000 to D51122.52920 – Christian Holler bridge deck replacement
\$30,000 to D51122.52621 – Atlantic Avenue rehabilitation
\$30,000 to D51122.52622 – CR 103 (Ridge Road) rehabilitation.”

Mr. Colacino moved, seconded by Mr. Fabino that the resolution be amended as presented. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Park. The Chairman declared the motion carried.

Upon roll call on the amended Resolution, all Supervisors voted Aye. Absent – Supervisor Park. The Chairman declared the amended Resolution adopted.

RESOLUTION NO. 135-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR EQUIPMENT RENTALS/SERVICES FOR THE HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department is in need of purchasing equipment rentals/services from outside vendors/contractors for specialty items to complete 2009 construction projects; now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bids for equipment rentals/services for the Highway Department, in accordance with specifications prepared by the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the bid specifications shall provide that any municipal highway department purchasing rental equipment rentals/services pursuant to the bid shall be solely responsible for the audit and inspection of such rental equipment rentals/services and for any payments due the vendor; and be it further

RESOLVED, that the County Highway Superintendent is hereby designated and directed to publicly open the bid(s) at the time and place specified in the bid documents and to present a record of the bid(s) at the next meeting of the Board of Supervisors following the bid opening.

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

RESOLUTION NO. 136-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR GUIDE RAIL SERVICES FOR THE HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bids for guide rail services for the Highway Department, in accordance with specifications prepared by the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the County Highway Superintendent is hereby designated and directed to publicly open the bid(s) at the time and place specified in the bid documents and to present a record of the bid(s) at the next meeting of the Board of Supervisors following the bid opening.

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

RESOLUTION NO. 137-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE CONSTRUCTION OF CURBS, GUTTERS, AND SIDEWALKS ALONG VARIOUS COUNTY HIGHWAYS

Mr. LeRoy presented the following:

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

authorized and directed to advertise for bids for the Construction of Curbs, Gutters, and Sidewalks for various County highways, in accordance with specifications prepared by the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the County Highway Superintendent is hereby designated and directed to publicly open the bid(s) at the time and place specified in the bid documents and to present a record of the bid(s) at the next meeting of the Board of Supervisors following the bid opening.

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

RESOLUTION NO. 138-09: AUTHORIZATION TO ACCEPT LOW BID FOR STUMP GRINDING FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for Stump Grinding for the Highway Department, and the bids were open on Monday, February 2, 2009 at 1:00 p.m. and the following bids were received:

- Empire Tree Surgeons \$3,655
- Crane Tree Service \$5,400

now, therefore, be it

RESOLVED, that the bid submitted by Empire Tree Surgeons of Newark, New York in the amount of \$3,655 in accordance with the specifications, is hereby accepted; and be it further

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

Mr. Fabino moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, all Supervisors voted Aye. Supervisor Crane Abstained from voting. Absent – Supervisor Park. The Chairman declared the Resolution adopted.

RESOLUTION NO. 139-09: AUTHORIZATION TO ACCEPT LOW BID FOR TREE REMOVAL FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for Tree Removal for the Highway Department, and the bids were open on Monday, February 2, 2009 at 1:00 p.m. and the following bids were received:

- Crane Tree Service \$6,500
- Empire Tree Surgeons \$8,800

Now, therefore, be it

RESOLVED, that the bid submitted by Crane Tree Service of Wolcott, New York in the amount of \$6,500 in accordance with the specifications that include the County crew to assist in providing clean-up and hauling services, is hereby accepted; and be it further

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

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, all Supervisors voted Aye. Supervisor Crane Abstained from voting. Absent – Supervisor Park. The Chairman declared the Resolution adopted.

RESOLUTION NO. 140-09: AUTHORIZATION TO APPROVE 2009 HIGHWAY CONSTRUCTION PROJECT STATEMENTS AND SUPPLEMENTAL PROJECT STATEMENTS AND APPROPRIATE FUNDS

Mr. LeRoy presented the following:

WHEREAS, in accordance with Section 115 of the Highway Law, the Superintendent of

Highways has prepared project statements for the proposed work for the following projects:

09-12	Walworth Road Resurfacing Project	\$520,000
09-16	Maple Avenue Road Paving Project - Palmyra	\$110,000
09-17	Miscellaneous Drainage Culverts Project	\$ 60,000
09-18	Miscellaneous Guide Rail Maintenance Program Project	\$ 75,000
09-19	Ridge Road Culvert Placement Project	\$120,000

and supplemental project statement of proposed work for the following project:

08-11	West Walworth Hamlet Project	\$515,000
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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. D51122.52600 (Road Construction – Highway Construction) to the following accounts:

\$515,000 to D51122.52611 (West Walworth Road Hamlet Project)
\$520,000 to D51122.52612 (Walworth Road Resurfacing Project)
\$110,000 to D51122.52616 (Maple Avenue Road Paving Project)
\$60,000 to D51122.52617 (Miscellaneous Drainage Culverts Project)
\$75,000 to D51122.52618 (Miscellaneous Guide Rail Maintenance Program Project)
\$120,000 to D51122.52619 (Ridge Road Culvert Replacement Project)

and be it further

RESOLVED, that the Maple Avenue Road Project will be pulled during construction season if it is determined that there are not adequate funds to complete all scheduled projects.

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

RESOLUTION NO. 141-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR STONE CRUSHING SERVICES FOR THE HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department is in the process of reclaiming the Mills Gravel Pit in the Town of Huron due to the expiration of a New York State Department of Environmental Conservation permit; and

WHEREAS, there is still a large pile of cobble material that can be crushed for usable gravel on highway projects; and

WHEREAS, a mobile crusher can be brought to the site by a contractor and produce gravel material cheaper than it can be purchased by the County; and now, therefore be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for stone crushing services for the Highway Department, in accordance with specifications prepared by the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the County Highway Superintendent is hereby designated and directed to publicly open the bid(s) at the time and place specified in the bid documents and to present a record of the bid(s) at the next meeting of the Board of Supervisors following the bid opening.

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

RESOLUTION NO. 142-09: AMEND 2009 HIGHWAY ROAD CONSTRUCTION BUDGET TO ADD UNEXPENDED 2008 PROJECT FUNDS

Mr. LeRoy presented the following:

WHEREAS, the unexpended project funds from 2008 have been reconciled and need to be appropriated in the 2009 budget;

WHEREAS, the 2009 County Budget identifies new projects only; now therefore be it

RESOLVED, that the County Treasurer appropriate \$262,136.49 of the fund balance of the Highway Fund (D) for the required County share of the projects to amend the 2009 D Fund Budget as follows:

D5112.52602 Arcadia/Zurich/Norris increase \$80,503.15
D5112.52611 W. Walworth Rd Hamlet increase \$111,367.26
D5112.52662 Lake Road over Maxwell Creek increase \$10,000.00
D5112.52988 Misc. Bridge Rehab Project increase \$81,751.51
D9999.43501 Consolidated Highway Aid increase \$283,621.92
D5112.52613 Highway Storage barn increase \$30,000.00
D5112.52684 Wayneport Road increase \$90,000.00
D5112.52678 Signage Project increase \$132,500.00
D5112.44512 Federal Aid-Walsh increase \$132,500.00
D5112.52686 Creager Island increase \$905,387.40
D9999.44511 Federal Aid-Marchiselli increase \$905,387.40
D5112.52905 Alderman Rd Bridge increase \$268,638.49
D5112.44511 Federal Aid-Marchiselli increase 214,910.00
D5112.52955 Leroy Island Bridge increase \$794,065.00
D9999.43511 State Aid-Marchiselli increase \$119,110.00
D9999.44511 Federal Aid-Marchiselli increase \$635,252.00
D5112.52979 Erie Street Bridge increase \$150,000.00
D9999.43511 State Aid-Marchiselli increase \$22,500.00
D9999.44511 Federal Aid-Marchiselli increase \$120,000.00
D5112.52987 Sodus Center Bridge increase \$824,097.00
D9999.43511 State Aid-Marchiselli increase \$123,614.00
D9999.44511 Federal Aid-Marchiselli increase \$659,278.00

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

RESOLUTION NO. 143-09: AUTHORIZATION TO RENEW MAINTENANCE AGREEMENT WITH VERAMARK THROUGH THE BUILDINGS AND GROUNDS DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, Veramark provides support for the Cost Accounting System for our County phone system; and

WHEREAS the current agreement is due to expire on February 25, 2009; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign an agreement with Veramark, subject to approval by the County Attorney; and be it further

RESOLVED, that the term for the maintenance agreement shall be for 36 months at a total cost of \$3,960.00 and the Superintendent of Buildings and Grounds is authorized to pay an annual fee of \$1,320.00.

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

RESOLUTION NO. 144-09: AUTHORIZATION TO AMEND RESOLUTION NO. 684-08 REGARDING ADVERTISING FOR BIDS FOR THE PURCHASE AND INSTALLATION OF SERVICE WINDOWS FOR VARIOUS COUNTY OFFICES

Mr. LeRoy presented the following:

WHEREAS, Resolution No. 684-08 authorized the Superintendent of Buildings and Grounds to prepare a bid package for the purchase and installation of service windows for the County Clerks Office and Department of Motor Vehicles; and

WHEREAS, it has been determined that the reception windows at the Department of Social Services, and the Treasurers Office should be included in said bid; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed

to advertise for bids for the provision of Security Glazing at the Department of Motor Vehicles, the County Clerks Office, the Treasurers Office, and the Department of Social Services service windows, in accordance to plans and specifications prepared by the Superintendent of Buildings and Grounds and subject to approval by the County Attorney as to form and content; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby designated and directed to open the bids at the time and place specified in the bid documents and to present a record of the bids at the next meeting of the Board of Supervisors following the bid opening; and be it further

RESOLVED, that Resolution No. 684-08 is hereby amended.

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

RESOLUTION NO. 145-09: ESTABLISH SCHEDULE OF MAINTENANCE CHARGES FOR THE BUILDINGS AND GROUNDS DEPARTMENT FOR THE YEAR 2009

Mr. LeRoy presented the following:

RESOLVED, that the following schedule of maintenance charges for the Buildings and Grounds Department is hereby established for the budget year 2009; and be it further

RESOLVED, that these charges will remain in effect with no changes throughout the 2009 budget year.

<u>TITLE</u>	<u>RATE/HR</u>	<u>OVT RATE</u>	<u>TITLE</u>	<u>RATE/HR</u>	<u>OVT RATE</u>
Maint. Foreman	45.18	55.78			
Sr. Maint. Mech. 1	41.76	56.53			
Sr. Maint. Mech. 2	41.76	51.40			
Working Foreman	38.69	46.79			
Bldg. Maint. Mech. 1	34.63	40.69			
Bldg. Maint. Mech. 2	41.29	50.69			
Bldg. Maint. Mech. 3	42.06	51.85			
Bldg. Maint. Mech. 4	34.30	40.19			
Maintenance Mech 1	33.54	39.05			
Maintenance Mech. 2	39.69	48.28			
Maintenance Mech. 3	39.33	47.74			
Maintenance Mech. 4	40.04	48.82			
Sr. Cleaner 1	28.24	42.36			
Sr. Cleaner 2	35.55	42.08			
Sr. Cleaner 3	30.77	46.15			
Maint. Worker 1	37.27	44.65			
Maint. Worker 2	27.96	30.69			
Maint. Worker 3	36.33	43.25			
Maint. Worker 4	20.44	30.66			
Maint. Worker 5	32.35	37.27			
Maint. Worker 6	36.94	44.16			
Maint. Worker 7	36.54	43.56			
Maint. Worker 8	18.62	27.94			
Maint. Worker 9	36.54	43.56			
Cleaner 1	32.78	37.92			
Cleaner 2	25.80	27.45			
Cleaner 3	23.87	24.55			
Cleaner 4	32.78	37.92			
Cleaner P.T. 1	22.16				
Cleaner P.T. 2	22.16				
Cleaner P.T. 3	23.65				
Cleaner P.T. 4	23.65				

Cleaner P.T. 5 23.65
Cleaner P.T. 6 22.16

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

RESOLUTION NO. 146-09: AUTHORIZATION TO ADVERTISE FOR VENDOR FOR CONCESSIONS AT SODUS POINT PARK

Mr. LeRoy presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for a vendor to provide concessions for Sodus Point Park, with a renewable option for up to (2) two additional years, in accordance with specifications prepared by the County Attorney and the Superintendent of Buildings and Grounds; and be it further

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

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

RESOLUTION NO. 147-09: AUTHORIZATION FOR THE SHERIFF AND CHAIRMAN TO SIGN THE FEDERAL ANNUAL CERTIFICATION REPORT FOR YEAR ENDING 12/31/08

Mrs. Bender presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and Wayne County Office of Sheriff are hereby authorized and directed to sign the Federal Annual Certification Report with regard to the Asset Forfeiture Program.

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

RESOLUTION NO. 148-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR UPGRADE OF CCTV SYSTEM AT THE WAYNE COUNTY JAIL FACILITY

Mrs. Bender presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise for bids for the upgrade of CCTV System at the Wayne County Jail/Correctional Facility in accordance with specifications prepared by the Sheriff's Office and filed with the Clerk of the Board of Supervisors; and be it further

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

RESOLVED, that funding will come from Correctional Facilities Revenue and Unexpended Funds from the Jail Project.

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

RESOLUTION NO. 149-09: AUTHORIZATION TO AMEND BUDGET FOR FUNDS NOT SPENT IN 2008 BUDGET FOR GRANT FROM NYS OFFICE OF HOMELAND SECURITY (FY07 LETPP GRANT) DCJS #WM07836472, GRANT AMOUNT \$117,000 (RESOLUTION NO. 308-08)

Mrs. Bender presented the following:

WHEREAS, the Wayne County Office of Sheriff has received a grant in the amount of \$117,000 (Resolution No. 308-08) and of that \$117,000 the amount of \$18,436.51 was not spent in the 2008 budget and this needs to be spent in the 2009 budget; now, therefore, be it

RESOLVED, that revenue line item A3114.43302 Homeland Security I hereby increased in the amount of \$18,436.51 and the Sheriff is hereby authorized to purchase equipment and the Wayne County Treasurer is hereby authorized and directed to transfer the following:

Account No. 3114 - Road Patrol

Increase appropriations	.52500 (other equipment)	\$18,436.51
Increase revenues	.43302 (Homeland Sec. Federal)	\$18,436.51

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

RESOLUTION NO. 150-09: AUTHORIZATION TO DECLARE VEHICLE AS SURPLUS FOR PUBLIC DEFENDERS

Mrs. Bender presented the following:

WHEREAS, the Wayne County Public Defender's Office owns a vehicle for the use of the Criminal Investigator in the performance of his duties; and

WHEREAS, the Wayne County Public Defender's Office has received funding under their grant from the New York State Division of Criminal Justice Service, for the replacement of the current vehicle; and

WHEREAS, a vehicle has been purchased and the old vehicle should be declared as surplus and moved to Wayne County Central Garage and disposed of in accordance with the Surplus Vehicles Disposition Procedure as outlined in Resolution number 375-91; now, therefore, be it

RESOLVED, that the following vehicle be turned over the Wayne County Central Garage by the Wayne County Public Defender: 2001 Ford Crown Victoria, VIN: 2FAFP71W91X187121 with an odometer reading of 131,071.

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

RESOLUTION NO. 151-09: AUTHORIZATION TO PAY WAYNE COUNTY CABLE CHANNEL 6 FOR TRAINING MATERIALS

Mrs. Bender presented the following:

WHEREAS, the Wayne County Public Defender's Office has a grant with the New York State Division of Criminal Justice Services that runs from April 1, 2007 – March 31, 2009; and

WHEREAS, the grant provides funds for equipment and supplies to be purchased for the benefit of the Wayne County Public Defender's Office for their defense of their clients; and

WHEREAS, the Wayne County Public Defender's Office hired a Community Resource Liaison with grant proceeds; and

WHEREAS, this employee has been working with other Wayne County Agencies, local police departments and the Wayne County School Superintendents to provide students with educational material and education on New York State Criminal Laws; and

WHEREAS, Wayne County Cable Channel 6 in conjunction with Wayne Central School District, has agreed to provide training materials for the sum of \$500.00; now, therefore, be it

RESOLVED, that the Wayne County Public Defender's Office has approval to pay said bill in the sum of \$500.00 to Wayne County Cable Channel 6 and thereafter receive reimbursement of said sum from the DCJS Grant funds.

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

RESOLUTION NO. 152-09: AUTHORIZATION TO PURCHASE EQUIPMENT WITH GRANT FUNDS FOR THE PUBLIC DEFENDERS

Mrs. Bender presented the following:

WHEREAS, the Wayne County Public Defender's Office has a grant with the New York State Division of Criminal Justice Services that runs from April 1, 2007 – March 31, 2009; and

WHEREAS, the grant provides funds for equipment and supplies to be purchased for the benefit of the Wayne County Public Defender's Office for their defense of their clients; and

WHEREAS, the Wayne County Public Defender's Office hereby requests authorization to

purchase the following items and the prices quotes are provided by Wayne County Information and Technology and will be purchased for the Public Defender's Office through that Department:

D.V.D. Player - Magnavox DP170MW8	\$ 40.00
Epson Duet Ultra Portable Projection Screen – Item Number: 1100660	110.19
Four Flat Screen Monitors - 19" (\$ 185 x 4 monitors)	740.00
Fax Machine – Brother intelliFAX-4100e	341.14
2 years Replacement Warranty	69.82
Paper Shredder – GBC 960X Heavy Duty Shredder	342.13

now, therefore, be it

RESOLVED, that the Wayne County Public Defender's Office has approval to purchase the above referenced equipment through the Wayne County Information and Technology Department and that they will thereafter be paid for through DCJS Grant funds.

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

RESOLUTION NO. 153-09: AUTHORIZATION TO PAY TRAINING AND ACCOMMODATION EXPENSES TO THE NEW YORK STATE DEFENDER'S ASSOCIATION

Mrs. Bender presented the following:

WHEREAS, by Resolution No. 550-08, the Wayne County Public Defender's Office received approval to purchase and upgrade the software and licenses of their Case Management System by the New York State Defender's Association; and

WHEREAS, members of the New York State Defender's Association staff, whose offices are in Albany, New York, installed the updated Data Base Program, MAGIC, at the Wayne County Public Defender's Office on December 12, 2008, and provided two training sessions for the attorneys and support staff on that date; and

WHEREAS, the Wayne County Public Defender's office thereafter received a statement from the New York State Defender's Association for the software upgrade which also included a fee for training and accommodation expenses payable to the New York State Defender's Association that was not included in their prior quote for upgrade; and

WHEREAS, the New York State Division of Criminal Justice Services has agreed to pay this sum from the training line of the grant the Wayne County Public Defender's Office has with them; now, therefore, be it

RESOLVED, the Wayne County Public Defender's Office hereby requests authorization to pay the additional expense for training, in the sum of \$1,500 and accommodations in the sum of \$ 502.39 to the New York State Defender's Association from grant funds specified above.

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

RESOLUTION NO. 154-09: AUTHORIZATION TO PURCHASE WIRELESS PRESENTER WITH GRANT FUNDS FOR THE PUBLIC DEFENDERS

Mrs. Bender presented the following:

WHEREAS, the Wayne County Public Defender's Office has a grant with the New York State Division of Criminal Justice Services that runs from April 1, 2007 – March 31, 2009; and

WHEREAS, the grant provides funds for equipment and supplies for the training the Wayne County Public Defender's Office to assist in their defense of clients to the Public Defender's Office; and

WHEREAS, the Wayne County Public Defender's Office hereby requests authorization to purchase the following item for the sum of \$ 66.82 which would be purchased by contract through the Wayne County Informational and Technology Department:

KENSINGTON WIRELESS PRESENTER WITH LASER - part number 1659856

now, therefore, be it

RESOLVED, that the Wayne County Public Defender's Office hereby has approval to

purchase one Kensington Wireless Presenter with Laser for the purchase price of \$66.82.

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

RESOLUTION NO. 155-09: AUTHORIZATION TO PURCHASE EDUCATIONAL MATERIALS WITH GRANT FUNDS FOR THE PUBLIC DEFENDER OFFICE

Mrs. Bender presented the following:

WHEREAS, the Wayne County Public Defender's Office has a grant with the New York State Division of Criminal Justice Services that runs from April 1, 2007 – March 31, 2009; and

WHEREAS, the grant provides funds for training of the staff of the Wayne County Public Defender's Office to assist in their defense of clients to the Public Defender's Office; and

WHEREAS, the Wayne County Public Defender's Office hereby requests authorization to purchase the following trial presentation software to prepare cases for trial and enhance case presentations:

Trial Director 5.2 with one user's license	\$595.00
1 Year Maintenance	119.00
TOTAL:	\$714.00

now, therefore, be it

RESOLVED, that the Wayne County Public Defender's Office hereby has approval to purchase the above referenced software from "inData Corp., 1325 North Fiesta Blvd., Suite 4, Gilbert, AZ 85233".

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

RESOLUTION NO. 156-09: AUTHORIZATION TO APPLY FOR A GRANT EXTENSION TO THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

Mrs. Bender presented the following:

WHEREAS, the Wayne County Public Defender's Office has a grant with New York State Division of Criminal Justice Services, hereinafter referred to as DCJS, that runs from April 1, 2007 – March 31, 2009; and

WHEREAS, there are remaining funds available in the grant; and

WHEREAS, DCJS has advised the Wayne County Public Defender's Office that they can apply for an extension of the existing grant for the purpose of expenditures of remaining funds in said grant; and

WHEREAS, DCJS requires 6 original executed copies of Appendix X be filed with their agency to extend the term of this grant; now, therefore, be it

RESOLVED, that the Wayne County Public Defender's Office has approval to apply to the DCJS for an extension of the contract period from March 31, 2009, to June 30, 2009, by submitting Appendix X to DCJS requesting the same; and be it further

RESOLVED, that the Wayne County Chairman of the Board has approval to review and approve an extension agreement between Wayne County and the New York State Division of Criminal Justice Services by executing 6 original copies of Appendix X.

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

RESOLUTION NO. 157-09: AUTHORIZATION TO EXECUTE 2009 MAINTENANCE CONTRACT WITH BI, INC.

Mrs. Bender presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an extended warranty and support services agreement on behalf of the County of Wayne, subject to the County Attorneys approval as to form and

content, with BI Incorporated for the contract period January 1, 2009 to December 31, 2009 at an annual cost of \$7,318.00 to cover thirty-five (35) Home Guard Monitoring Devices (HG-200); eighteen (18) Sobrietor Units (93-9300) and one (1) Drive-Bi Unit (HG-2220).

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

RESOLUTION NO. 158-09: AUTHORIZATION FOR CHAIRMAN AND DISTRICT ATTORNEY TO EXECUTE FEDERAL EQUITABLE SHARING AGREEMENT FOR 2009

Mrs. Bender presented the following:

RESOLVED, that the Wayne County District Attorney and Chairman of Board of Supervisors is hereby authorized to execute Federal Equitable Sharing Agreement for 2009 (January – December) necessary for District Attorney's Office to continue to receive illegal narcotics monies forfeited through the federal government.

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

RESOLUTION NO. 159-09: AUTHORIZATION TO ACCEPT NOMINEES FOR THE EMERGENCY MEDICAL ADVISORY BOARD

Mrs. Bender presented the following:

RESOLVED that the following people are hereby appointed to the EMS Advisory Board for a two-year term of office from February 1, 2009 - January 31, 2011; and be it further

RESOLVED, that these persons shall be county officers and shall serve without compensation.

Arcadia	Ken Grass
Butler	Jeffrey Teeter
Galen	Diane Gary
Huron	Charles King
Lyons	Paul Fera; Alternate-John Wiltsie
Macedon	Dave Kelly; Alternate-Kim Leonard
Marion	Linda Lee
Ontario	Joan Stark; <u>Alternate-Dave Stark</u>
Palmyra	Debbie Rothfuss; Alternate-Robert Devlin
Rose	Henry Dunphy
Savannah	<u>James Younglove; Alternate-Robert Barton</u>
Sodus	Eldred J. Schell; Alternate-Gary Gray
Walworth	Edward Parkhurst; Alternate-Paul Phillips
Williamson	Suzan Ray
Wolcott	David MacDougall

Mr. Plant moved, seconded by Mr. Kelsch, that the resolution be amended to include Dave Stark for the alternate member for the Town of Ontario, as well as adding James Younglove and Alternate Robert Barton as members for the Town of Savannah. Motion carried.

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

RESOLUTION NO. 160-09: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH VERIZON FOR DISASTER RECOVERY HARDWARE FOR WAYNE COUNTY 911 PROGRAM

Mrs. Bender presented the following:

WHEREAS, Verizon has developed a method for Public Safety Answering Points (PSAP's)

to have the ability to reroute all 911 phone traffic to an alternate answering point in the event of an emergency or catastrophic equipment failure at the primary site; and

WHEREAS, the applicable hardware would allow for Wayne County 911 to initiate a changeover of traffic to the SEMO site on demand, as well as testing of the back-up site on a regular basis, as required by State 911 standards, but not now possible due to the inability to reroute 911 traffic on demand; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a Service Agreement, in such form and content determined to be acceptable by the County Attorney, with Verizon Business Network Services, to lease disaster recovery hardware, formerly known as a network control modem, at a cost not to exceed \$265 per month.

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

RESOLUTION NO. 161-09: AUTHORIZATION TO EXECUTE A CONTRACT WITH PICTOMETRY INTERNATIONAL TO UPDATE AERIAL DIGITAL IMAGES

Mrs. Bender presented the following:

WHEREAS, the County of Wayne, in 2005, entered into a contract with Pictometry International, for the delivery of digital images (pictures), of the entire county, along with proprietary software to display the images; and

WHEREAS, the Pictometry system, as a result of Pictometry's Subdivision Agreement, is currently used by most of the Towns and Villages in Wayne County, and has proven to be a valuable tool for local governments, as well the County; and

WHEREAS, the aforementioned images were taken in April, 2006, thus rendering them increasingly obsolete as time passes; and

WHEREAS, Pictometry has proposed a two year contract for a "refly" of the county, which will generate new images of the entire county, as well as data compression of the images, which will now allow the Pictometry images and operational software to be loaded on the mobile computers used by all police agencies in the county, and

WHEREAS, GIS (Geographic Information Systems) is now a allowable funding category in the New York State Homeland Security Program (SHSP); and

WHEREAS, in association with Board of Supervisors Resolution No. 710-08, the County has applied for SHSP funding, with the amount of \$50,835 from the '08 allocation to be dedicated to the first year of the Pictometry two year contract, and the second year amount of the two year contract (\$44,945) anticipated to be derived from the '09 SHSP allocation or another grant source; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a contract with Pictometry International, with contract form and content acceptable to the County Attorney, in association with the Pictometry two year proposal, for the delivery of new digital images, and other services as proposed, at a total contract cost not to exceed \$95,780; and be it further

RESOLVED, that contract execution shall take place only upon the Office of Homeland Security's approval of the County's '08 SHSP investment justification plan.

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

RESOLUTION NO. 162-09: AUTHORIZATION TO EXECUTE RENEWAL CONTRACTS WITH TYLER TECHNOLOGIES FOR MUNIS SOFTWARE; OPERATING SYSTEM AND DATABASE ADMINISTRATION SUPPORT

Mr. Lyon presented the following:

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

1. MUNIS software for the contract period from starting March 17, 2009 to March 16, 2010 at a cost not to exceed \$105,814.80

2. Operating System and Database Administration contract period from starting March 17, 2009 to March 16, 2010 at a cost not to exceed \$25,719.00.

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

RESOLUTION NO. 163-09: AUTHORIZATION TO PURCHASE POSS SCHEDULING SOFTWARE FOR VARIOUS COUNTY DEPARTMENTS

Mr. Lyon presented the following:

WHEREAS, the OT scheduling module on the AS400 is obsolete and needs to be replaced; and

WHEREAS, it is cost effective to purchase this product rather than develop this type of software in-house; and

WHEREAS, IT & Sheriff's personnel has evaluated the software and it meets the current needs and specifications required to accommodate and streamline the labor intensive task of employee shift scheduling; now, therefore, be it

RESOLVED, that the County Treasurer transfer \$34,000.00 from the fund balance in the General Fund to:

A1680-INFORMATION TECHNOLOGY

\$25,000.00 to .54475 Software

\$ 9,000.00 to .54483 Training, Seminars and Schools

and be it further

RESOLVED, that the Director of Information Technology is hereby authorized to purchase said POSS Scheduling Software and the required training through state bid contract as follows at a cost not to exceed \$34,000:

POSS Scheduling Software \$25,000

Training Session \$ 9,000

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

RESOLUTION NO. 164-09: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS

Mr. Lyon presented the following:

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

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

2009 Tax Roll

Account No.: 64112-00-152250

Assessed to: Lois & Louis Pratt

Total Tax Difference: \$38.80 Total County Tax Difference: \$0.00

Corrected Total Tax: \$ 977.85

2009 Tax Roll

Account No.: 61111-00-521396

Assessed to: Wayne & Jean Fox

Total Tax Difference: \$179.39 Total County Tax Difference: \$179.39

Corrected Total Tax: \$ 1217.69

2009 Tax Roll
Account No.: 62111-08-950832
Assessed to: Joseph McCluskey
Total Tax Difference: \$18.85 Total County Tax Difference: \$0.00
Corrected Total Tax: \$ 113.07

2009 Tax Roll
Account No.: 62111-10-413657
Assessed to: Beverly Orr
Total Tax Difference: \$236.04 Total County Tax Difference: \$113.39
Corrected Total Tax: \$ 1356.72

2009 Tax Roll
Account No.: 62111-08-823971
Assessed to: Joscelyn Moody
Total Tax Difference: \$171.37 Total County Tax Difference: \$163.53
Corrected Total Tax: \$ 459.92

TOWN OF ONTARIO

2009 Tax Roll
Account No.: 63116-00-139876
Assessed to: Town of Ontario
Total Tax Difference: \$12.58 Total County Tax Difference: \$0.00
Corrected Total Tax: \$ 0.00

TOWN OF SAVANNAH

2009 Tax Roll
Account No.: 77111-06-331883
Assessed to: Linda Barnes
Total Tax Difference: \$ 206.39 Total County Tax Difference: \$100.37
Corrected Total Tax: \$ 950.53

TOWN OF SODUS

2009 Tax Roll
Account No.: 71119-18-493103
Assessed to: Sodus Bay Yacht Club
Total Tax Difference: \$1344.80 Total County Tax Difference: \$1025.78
Corrected Total Tax: \$ 6678.15

2009 Tax Roll
Account No.: 68116-00-285383
Assessed to: Debra Wigent
Total Tax Difference: \$620.66 Total County Tax Difference: \$0.00
Corrected Total Tax: \$ 382.65

TOWN OF ARCADIA

2009 Tax Roll
Account No.: 68114-00-777376
Assessed to: Yvonne Bartleson
Total Tax Difference: \$538.59 Total County Tax Difference: \$331.57
Corrected Total Tax: \$ 332.40

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

RESOLUTION NO. 165-09: AUTHORIZATION TO SUBMIT REQUEST FOR PROPOSALS (RFP) SEEKING AUCTIONEER SERVICES FOR REAL PROPERTY TAX FORECLOSURE SALE

Mr. Lyon presented the following:

WHEREAS, the Real Property Tax Department will be conducting a Tax Foreclosure Auction of delinquent properties; and

WHEREAS, the Real Property Tax Department of Wayne County is desirous of having auction services performed by a professional auctioning service; now, therefore, be it

RESOLVED, that the Director of Real Property Tax Services is hereby authorized and directed to prepare and distribute a Request for Proposals(RFP) for the contracting of said services.

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

RESOLUTION NO. 166-09: AUTHORIZATION TO REIMBURSE JENNEL HORTON

Mr. Lyon presented the following:

WHEREAS, resolution 456-07 approved the sale of tax deed property #7111109-044733 to Robert Horton; and

WHEREAS, Mr. Horton obtained a loan for the purchase price of said property which loan included the payment of filing fees in the amount of \$114; and

WHEREAS, Mr. Horton was mistakenly requested to provide said filing fees prior to closing; and

WHEREAS, said filing fees were actually provided by Jennell Horton who resides at said property with her husband, Harold; and

WHEREAS, there was a delay in the closing regarding said property caused by the mix up regarding said filing fees and said delayed will cause Jennell Horton to incur late penalties and interest on the 2008 Village tax in the amount of \$67.63; now therefore be it

RESOLVED, that Wayne County Treasurer at the direction of the Wayne County Attorney is authorized to reimburse Jennell Horton in the amount of \$181.63 regarding the closing related to property tax ID # 7111109-044733 said amount to be paid from Account A19304.54000.

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

RESOLUTION NO. 167-09: AUDIT OF CLAIMS – FEBRUARY 19, 2009

Mr. Lyon presented the following:

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

RESOLVED, that the following Claims totaling **\$3,710,711.87** are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$	2,328,120.13
2. D Fund	\$	955,628.79
3. DM Fund	\$	51,717.62
4. E Fund	\$	220,836.99
5. H Fund	\$	95,294.75
6. MS Fund	\$	35,769.21
7. S Fund	\$	23,344.38
Warrant Total	\$	3,710,711.87

and be it further

RESOLVED, that the following utilities totaling **\$139,868.19**, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$	91,965.02
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2. DM Fund	\$	12,601.26
3. E Fund	\$	35,301.91
Utility Total	\$	<u>139,868.19</u>

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling \$ 259,258.80 are hereby ratified:

1. Nursing Home		79,134.00
2. Sheriff-Misc.		4,694.34
3. Sheriff-Pistol Permits		11,697.00
4. Social Services		2,179.50
5. Public Health		370.92
6. Workers' Comp		<u>161,183.04</u>
Misc. Disbursement Total	\$	<u>259,258.80</u>

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

RESOLUTION NO. 168-09: AUTHORIZATION TO APPLY FOR EXTENSION OF GRANT FUNDS TO THE WAYNE COUNTY BOARD OF ELECTIONS

Mrs. Collier presented the following:

WHEREAS, the deadline for using previously received grant funds was March 31, 2009; and

WHEREAS, the New York State Board of Elections is seeking to extend the deadline for the use of these funds from April 1, 2009 until March 31,2010; and

WHEREAS, the State Board has requested that an extension request for each fund be executed by the County to request such an extension; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an extension request for the following three (3) grants, requesting an extension of the deadlines for use of these grant funds by the Wayne County Board of Elections:

T0002821 - HHS 2007 Voting Access for Individuals with Disabilities Polling Place Access Improvement - \$3,147

T002696 - NYS Voting Access for Individuals with Disabilities Polling Place Access Improvement - \$24,128.14

C002580 - Voter Education/Poll Worker Training Program - \$51,449.

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

Mr. Plant moved, seconded by Mr. LeRoy that four (4) resolutions be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Park. Motion carried.

RESOLUTION NO. 169-09: RESOLUTION URGING SUPPORT FOR THE GOVERNOR'S EXECUTIVE BUDGET PROPOSAL TO BASE INDIGENT LEGAL SERVICES FUNDING ON A THREE-YEAR AVERAGE

Mrs. Bender presented the following:

WHEREAS, Indigent Legal Services Fund (ILSF) is a vital revenue source to ensure that all citizens have access to competent legal counsel; and

WHEREAS, New York State's current maintenance-of-effort (MOE) criteria for counties to qualify for funding unintentionally impacts property tax payers by requiring counties to spend more each year in order to be eligible for indigent defense funding; and

WHEREAS, during the past two years twelve counties became ineligible for funding because they spent less on indigent defense funding than in the prior year; and

WHEREAS, the existing system discourages providers of indigent defense services to find efficiencies and presupposes spending more money means that counties are providing better defense services; and

WHEREAS, the existing MOE provisions are problematic as local defense costs can fluctuate significantly from year to year due to case loads and case complexity; and

WHEREAS, the 2009-2010 Executive Budget rectifies this flaw by basing the maintenance-of-effort calculation on a three-year average, and in the event a county still does not meet the maintenance-of-effort requirement, that county would be eligible for a portion of its funding; and

WHEREAS, the New York State Associations of Counties has also recently indicated its support of the Governor Patterson's proposal to fix the chronic issues counties face with the ILSF Maintenance of Effort provision; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby supports the Governor's proposal to alter the ILSF Maintenance-of-Effort funding provision in order to make the determination of eligibility of ILSF funds to counties more equitable; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to send a copy of this resolution to Governor David A. Paterson; Assemblyman Robert C. Oaks; NYS Senator Michael F. Nozzolio; and all others deemed necessary and proper.

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

RESOLUTION NO. 170-09: SUPPLEMENTAL MEDICAID (MA) UPPER PAYMENT LIMIT (UPL) PAYMENT

Mr. Hammond presented the following:

WHEREAS, monies have been made available for Supplemental Medicaid (MA) Upper Payment Limit (UPL) payments to public nursing facilities, one of which is the Wayne County Nursing Home; and

WHEREAS, Resolution 642-08 transferred an amount of \$3,079,716.63 from the general fund to the Social Services Medicaid (MA) Account A6102.4000 for the required November '08 payment of the full 50% non federal share; and

WHEREAS, Wayne County desires to receive the next payment scheduled for March '09 at the earliest possible date and to do so requires payment to be made from the Department of Social Services MA Account in an amount of one half of the total \$577,526.75; now, therefore, be it

RESOLVED, that an amount of \$288,763.37 shall be moved from the fund balance of the general fund to A6102.4000 for the March '09 payment of the full 50% non federal share to be paid on a specific date specified by the New York State Medicaid Financial Management office.

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

RESOLUTION NO. 171-09: AUTHORIZATION TO RENEW LEASE AGREEMENT WITH HERMAN WILES FOR PARKING

Mr. LeRoy presented the following:

WHEREAS, Wayne County has previously entered into a lease with Herman Wiles for the parking lot located east of the Social Services building on Water Street in the Village of Lyons; and

WHEREAS, said lease expired on May 31, 2007; and

WHEREAS, the parties to said lease are desirous of renewing said lease retroactively from June 1, 2007 for a period terminating May 31, 2012, with the total rent payment to be in the amount of Eight Hundred Fifty dollars and 00/100 (\$850); now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a lease agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Herman Wiles for property used as a parking area, said premises located at Water Street in the Village of Lyons,

adjacent to the Social Services Building, for the period 6/1/07 to 5/31/12; and be it further,
RESOLVED, that the Clerk of the Board is hereby authorized to process payment to Mr.
Wiles for the full amount of \$850.00 at the time said lease is executed.

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

**RESOLUTION NO. 172-09: AUTHORIZATION TO AMEND LEASE AGREEMENT BETWEEN
RUSHVILLE HEALTH CENTER AND WAYNE COUNTY PUBLIC HEALTH**

Ms. Park presented the following:

WHEREAS, pursuant to Resolution No. 93-09, Rushville Health Center is required to have
a five year lease agreement with Wayne County Public Health for the purpose of filing an
application to acquire a Certificate of need from the NYS DOH to provide dental services at
Wayne County Public Health; and

WHEREAS, Rushville Health Center will pay Wayne County Public Health \$1.00 for the
leasing of 312 square feet from July 1, 2008 till June 30, 2011; and

WHEREAS, the total lease of 312 square feet for dental services provided by Rushville
Health Center will be paid by the Wayne County Oral Health Project at a \$417.00 per month
rate from July 1, 2008 till June 30, 2011; and

WHEREAS, as of July 1, 2011 till June 30, 2013, Rushville Health Center will pay \$417.00
per month for the leasing of the 312 square feet; now, therefore, be it

RESOLVED, the Chairman of the Board is authorized to amend the lease agreement
between Rushville Health Center and Wayne County Public Health from July 1, 2008 till June
30, 2011 for 312 square feet for a cost of \$1.00 and from July 1, 2011 till June 30, 2013 for 312
square feet for the cost of \$417 per month, subject to the County Attorney's approval to form
and content.

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

Mr. Marquette made the announcement that Mr. Kevin Elphick, Deputy Director of Wayne
Behavioral Health Network, will be resigning from his position, effective March 2, 2009.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, March 17, 2009 at 7:00 p.m.

Mr. Kelsch moved, seconded by Mr. Lauderdale, that the board adjourn at 11:25 a.m.
Carried.

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