

6th Day  
Tuesday, March 17, 2009  
7:00 p.m.

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

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

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

**APPROVAL OF MINUTES:**

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

**SUMMARY OF CLAIMS BY COMMITTEE:**

<b>Committee No. 1</b>	<b>Finance</b>	
A13252	Treasurer	337.23
A13554	Assessment - Real Property Tax	1,980.44
A16802	Information Technology	6,252.00
A16804	Information Technology	17,863.39
A19304	Judgments & Claims	4,927.16
A24904	Community College	862,692.30
H19332	Building Renovation Project	46,119.82
H19352	Enhance911 Emergency Telephone	66,536.00
H19392	Route 31 Complex	<u>3,022.03</u>
		<b>\$ 1,009,730.37</b>
<b>Committee No. 2</b>	<b>Public Safety</b>	
A11654	District Attorney	2,070.14
A11674	Crime Victims Board Grant	78.05
A11704	Public Defender	13,398.49
A11724	Legal Defense of Indigents	62,474.03
A11734	Wayne Pre-Trial Services, Inc.	9,219.92
A11854	Coroner	6,237.90
A11904	Grand Jury	2,363.87
A31104	Sheriff	4,151.63
A31114	Sheriff – Recreational	31.50
A31124	Sheriff - Civil Office	27.00
A31134	Sheriff - Juvenile Office	1,958.69
A31144	Sheriff - Road Patrol	11,792.61
A31154	Sheriff - Detective Unit	3,195.00
A31154	Sheriff - Detective Unit	623.33
A31174	Animal Abuse Investigations	409.62
A31404	Probation	4,825.74
A31504	Sheriff – Jail	1,582.56
A31504	Sheriff – Jail	28,483.01
A33154	Stop DWI	2,354.90
A34104	Mutual Aid (Fire Coordinator)	673.43
A36404	Emergency Management Office	596.97
A36424	E911 Communications	3,260.08

A36444	ALS Services	5,284.20
TE	Trust, Expendable	<u>764.00</u>
		<b>\$ 165,856.67</b>
<b>Committee No. 3</b>	<b>Public Works</b>	
A16154	Buildings & Grounds	11,693.15
A16154	Buildings and Grounds	49,580.86
A16404	Central Garage	8,303.75
A66104	Consumer Affairs (W&M)	378.41
D50104	Highway Administration	612.75
D50202	Highway Engineering	347.29
D51104	Maintenance of Roads & Bridges	25,469.23
D51114	Road Striping and Sign Maint	3,500.75
D51122	Road Construction	90,637.74
D51424	Snow Removal – County	226,599.06
DM51304	Road Machinery	<u>68,449.01</u>
		<b>\$ 485,572.00</b>
<b>Committee No. 4</b>	<b>Economic Development &amp; Planning</b>	
A56324	Bus Operations	9,594.45
A63264	Economic Development Admin	4,877.00
A64104	Publicity (Tourism)	1,230.65
A64114	Tourism Matching Funds Program	45,382.67
A80204	Planning Board	233.20
H59022	Amtrak Station	<u>95,532.00</u>
		<b>\$ 156,849.97</b>
<b>Committee No. 5</b>	<b>Government Operations</b>	
A10102	Legislative Board	234.00
A10404	Clerk Legislative Board	49.37
A12304	County Administration	210.41
A14104	County Clerk	2,278.94
A14204	County Attorney	1,871.36
A14304	Human Resources	110.55
A14314	Cafeteria Plan	714.15
A14504	Board of Elections	380.04
A16714	Printing Department	1,978.46
A75104	County Historian	12.00
MS17104	Administrative Fees	21,462.88
S17104	Workers Comp	<u>12,252.00</u>
		<b>\$ 41,554.16</b>
<b>Committee No. 6</b>	<b>Health &amp; Medical Services</b>	
A40104	Public Health	20,601.20
A40112	Public Health Service	879.00
A40114	Public Health Service	34,424.83
A40162	PH - Early Intervention 0-1	351.06
A40164	PH - Early Intervention 0-1	114,673.01
A40174	PH - Child w/Spec Needs 3-5	351.06
A40174	PH - Child w/Spec Needs 3-5	514,496.02
A40184	Public Health Education	563.75
A40194	Wayne Community Nursing Care	600.95
A40194	Wayne Community Nursing Care	39,727.12
A40204	PH - EMS Coordinator	387.75
A43004	Behavioral Health	98,586.90
A43224	Community Providers	31,434.00
E60004	NH Combined	3,805.21
E60004	NH Combined	<u>281,095.20</u>

		<b>\$ 1,141,977.06</b>
<b>Committee No. 7</b>	<b>Human Services</b>	
A60104	Administration	48,100.35
A60704	Purchase of Services	1,721.35
A61234	Juv Delinquent Care	37,720.00
A61294	State Training School	394,991.92
A62124	WFD/DSS Intensive Employment	1,035.39
A62144	Economic Opportunity & Develop	440.79
A62174	WFD-DSS Wage Subsidy	107.57
A62934	WIA Adult	301.37
A62944	WIA Dislocated	1,088.17
A62954	WIA Youth	785.08
A62964	TANF Summer	873.60
A63104	Community Action Program	43,983.00
A65104	Veteran Services	1,759.12
A67724	Area Agency on Aging	71,676.16
A73104	Youth Bureau	20,127.19
		<b>\$ 625,148.03</b>
	<b>Warrant Total</b>	<b>\$ 3,626,688.26</b>
	<b>During the Month Utilities</b>	<b>\$ 131,437.20</b>
	<b>Miscellaneous Disbursements</b>	<b>\$ 97,697.45</b>

Mr. Fabino 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 February 2009 in the amount of \$11,067.52 was received and filed.

A thank you note was received from Supervisor Kim Park for the lovely dish garden she received from the Board of Supervisors.

A copy of adopted Resolution No. 34-09, entitled, "Urging Governor Paterson to order the Printing and Issuing of Tax Exemption Coupons for Members of Indian Tribes" was received from the Seneca County Board of Supervisors.

A copy of a Resolution requesting the NYS Legislature to change the formula for determining STAR benefits to include sales tax revenues shared with school districts was received from the Erie County Legislature.

A copy of a Resolution from Columbia County, regarding tax exemption coupons for members of Indian tribes was received, urging our Board and others to consider passing a similar resolution to send to Governor Paterson.

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

**ANNUAL REPORTS:**

- WC Emergency Management
- WC Public Defender
- WC District Attorney
- WC Department of Aging and Youth
- WC Public Health
- WC Department of Social Services
- WC Planning Department
- WC Tourism & Promotion
- WC Attorney

Mr. LeRoy moved, seconded by Mr. Plant, 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.

**SCHEDULED BUSINESS:**

Chairman Hoffman introduced Mary Isselhard, Account Executive of United Way of Wayne County, Inc., to give a brief presentation to the Board regarding the goals of the 2009 campaign.

**RESOLUTIONS:**

On behalf of the Board of Supervisor, Supervisor Lyon read the resolution in memory of Edwin Wheeler, former Supervisor for the Town of Palmyra, for his years of dedicated service to the citizens of Wayne County.

**RESOLUTION NO. 173-09: IN MEMORIAM – EDWIN WHEELER**

Mr. Lyon presented the following:

WHEREAS, Edwin Wheeler served Wayne County as Supervisor for the Town of Palmyra from January 1, 1986– December 31, 1991. Throughout his years of service, he diligently served the Citizens of Wayne County with loyalty and dedication. His death is a great loss to his family and the community;

NOW, therefore, in memory of his service to the people of Wayne County, be it

RESOLVED, that the Board of Supervisors of the County of Wayne hereby expresses its great regret in the passing of Edwin Wheeler and extends its deepest sympathy to his family; and be it further

RESOLVED, that this resolution be spread upon the minutes, a copy be presented to the family of Edwin Wheeler and that a page of the proceedings be dedicated in his memory.

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

**RESOLUTION NO. 174-09: AUTHORIZING PAYMENT OF LITIGATION COST AND TRANSFER FUNDS FOR REIMBURSEMENT OF LITIGATION FEES**

Mr. Lyon presented the following:

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

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

Town of Ontario	:	
Ginna		\$90.67
D.K.R. Investments LLC		\$10.87
Gullace		\$156.00

now, therefore, be it

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

\$257.54 to Account No. A1355.4506 (Attorneys) from Account No.A1990.4000 (Contingent Fund General-Contractual Expense); and be it further

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

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

**RESOLUTION NO. 175-09: AUTHORIZING PAYMENT OF LITIGATION COST AND TRANSFER FUNDS**

Mr. Lyon presented the following:

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

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

Town of Arcadia	:	
West Union Street Associates (Wendy's Restaurant		\$229.67
Wal-Mart Stores Inc.		\$2,746.55

now, therefore, be it

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

\$2,976.22 to Account No. A1355.4506 (Attorneys) from Account No.A1990.4000 (Contingent Fund General-Contractual Expense); and be it further

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

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

**RESOLUTION NO. 176-09: TAX REFUND – ERROR ON TAX ROLL**

Mr. Lyon presented the following:

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

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

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

TOWN OF ONTARIO		
2009 Tax Roll		
Account No.	63119-16-754484	
Assessed to:	James & Kathleen Hollingsworth	
Total Tax Difference:	\$777.96	Total County Tax Difference: \$535.55
Refund:	\$777.96	

and be it further

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

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

**RESOLUTION NO. 177-09: 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 MARION

2009 Tax Roll  
Account No.: 65114-12-849598  
Assessed to: Mary Ellen Cook  
Total Tax Difference: \$621.50 Total County Tax Difference: \$0.00  
Corrected Total Tax: \$ 6867.30

TOWN OF SAVANNAH

2009 Tax Roll  
Account No.: 77111-05-243878  
Assessed to: Nicoletta Associates  
Total Tax Difference: \$1,520.21 Total County Tax Difference: \$0.00  
Corrected Total Tax: \$ 0.00

TOWN OF SODUS

2009 Tax Roll  
Account No.: 69118-00-927908  
Assessed to: George Reithel  
Total Tax Difference: \$ 68.81 Total County Tax Difference: \$0.00  
Corrected Total Tax: \$ 1085.58

2009 Tax Roll  
Account No.: 67117-00-517988  
Assessed to: DJ & Juanita Eaton  
Total Tax Difference: \$ 270.00 Total County Tax Difference: \$0.00  
Corrected Total Tax: \$ 993.74

2009 Tax Roll  
Account No.: 67117-00-519956  
Assessed to: Michael & Jean McBride  
Total Tax Difference: \$ 270.00 Total County Tax Difference: \$0.00  
Corrected Total Tax: \$ 282.48

2009 Tax Roll  
Account No.: 67117-00-650965  
Assessed to: Windsong Mountain II LLC  
Total Tax Difference: \$ 2,430.00 Total County Tax Difference: \$0.00  
Corrected Total Tax: \$ 23,317.75

2009 Tax Roll  
Account No.: 67117-00-497883  
Assessed to: Kenneth Zornow  
Total Tax Difference: \$ 270.00 Total County Tax Difference: \$0.00  
Corrected Total Tax: \$ 151.90

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

**RESOLUTION NO. 178-09: AUTHORIZATION TO AMEND RESOLUTION # 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 recommended that the applications be approved; and

WHEREAS, upon further review and the writing of the required 8 day payment letter to the owner of two (2) of the said parcels, it was recognized that calculations were incorrect now, therefore, be it

RESOLVED, that the Director of the Real Property Tax Services is hereby authorized to amend the corrections to state the figures correctly and inform all persons required to be informed of same as follows:

**TOWN OF MACEDON**

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: \$768.62

**TOWN OF SAVANNAH**

2009 Tax Roll

Account No.: 77111-06-331883

Assessed to: Linda Barnes

Total Tax Difference \$100.37 Total County Tax Difference:\$100.37

Corrected Total Tax: \$1,056.55

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

**RESOLUTION NO. 179-09: AUTHORIZATION TO AMEND 2009 H1933 BUILDING RENOVATION PROJECT BUDGET**

Mr. Lyon presented the following:

WHEREAS, the County of Wayne in the 2008 County Budget appropriated \$2,500,000.00 in A9950 Transfer to Capital Fund Projects for the building renovation project; and

WHEREAS, the \$2,500,000.00 was transferred into project H1933 in December 2008 and these funds now need to be appropriated in the H1933 Building Renovation Project budget; now therefore be

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

**H1933-BUILDING RENOVATION PROJECT:**

\$2,500,000.00 to .45031 Interfund Transfers

\$2,500,000.00 to .52700 Capital Constructions

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

**RESOLUTION NO. 180-09: AUTHORIZATION TO REQUEST STATE MUNICIPAL HOME RULE LEGISLATION FOR EXTENSION OF ADDITIONAL 1% SALES TAX TO NOVEMBER 30, 2011**

Mr. Lyon presented the following:

WHEREAS, the County of Wayne presently has authority to collect an additional 1% sales tax, but said authority expires as of November 30, 2009; and

WHEREAS, without said additional 1% sales tax, real estate taxes would be further burdened and would be significantly increased; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby requests our State Legislators, Senator Michael Nozzolio and Assemblymen Robert Oaks to prepare a municipal

Home Rule Statute giving the County of Wayne authority to extend the additional 1% sales tax from December 1, 2009 to November 30, 2011.

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

**RESOLUTION NO. 181-09: AUTHORIZATION TO EXECUTE CONTRACT FOR BROADBAND BUSINESS CLASS SERVICE FOR THE WAYNE COUNTY NURSING HOME**

Mr. Lyon presented the following:

WHEREAS, the Wayne County Nursing Home will be instituting an Electronic Medical Records system; and

WHEREAS, it has been recommended by IT and SigmaCare®, that a separate internet service for the Nursing Home be installed to safeguard this data; and

WHEREAS, Time Warner Cable can provide this broadband service to the Wayne County Nursing Home; and

WHEREAS, the cost of the services for a 3-year agreement is \$360 a month; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Time Warner Cable, for a (3) three-year contract period effective March 17, 2009 to March 16, 2012 for \$360.00 per month; and be it further

RESOLVED, that said services will be expended from the Nursing Home Account No. A6004.54951.E8350.

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

**RESOLUTION NO. 182-09: RESOLUTION REQUESTING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO NOT REDUCE OR ELIMINATE FUNDING FOR GRANTS FOR PROJECTS THAT ARE ALREADY IN PROCESS**

Mr. Lyon presented the following:

WHEREAS, Wayne County recognizes that there currently are circumstances that require all levels of government to examine and where possible reduce expenditures; and

WHEREAS, Wayne County has recently received two notifications that grant funding would be reduced for projects and purchases that are in process; and

WHEREAS, Wayne County government is aware that there are other instances within the county where projects that are in process have had grant funds reduced or cancelled; and

WHEREAS, it is recognized that funding for prospective future projects may need to be reduced or eliminated; and

WHEREAS, it is inherently unfair to reduce anticipated grant funding for public projects that are in process; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby encourages Governor Patterson and the New York State Legislature to not reduce or eliminate grant funding for public projects that are currently in process; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to provide certified copies of this resolution to Governor Patterson, Senator Michael Nozzolio and Assemblyman Robert Oaks.

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

**RESOLUTION NO. 183-09: STAR PROGRAMS APPLICATION IN WAYNE COUNTY AND THE ROLE OF THE LOCAL STATE DELEGATION**

Mr. Lyon presented the following:

WHEREAS, Erie, Monroe, Westchester, Onondaga, and Wayne Counties share sales tax revenue with school districts; and

WHEREAS, the current STAR benefit system is calculated locally using property tax revenues as the sole local component; and

WHEREAS, the sales tax revenue these counties distribute to local school districts is not credited in the local share for calculation of the STAR benefit; and

WHEREAS, as these counties increase school district funding with sales tax revenues, the state STAR program benefit for residents does not increase; and

WHEREAS, if sales tax amounts were included in the calculation of STAR benefits, county residents would receive an increase in their STAR benefit without experiencing an increase in their school district tax rates; and

WHEREAS, residents of counties that provide support for school districts, by sharing sales tax revenue, should not be adversely affected or penalized with lower STAR benefits because of the sharing of their counties; and

WHEREAS, changing the formula for calculating STAR benefit amounts would return additional monies to Wayne County taxpayers; and

WHEREAS, changing the formula for calculating STAR benefits has no impact on school district tax rates and has no adverse impact on Wayne County taxpayers; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors does hereby request the New York State Legislature change the formula for determining STAR benefits to include sales tax revenues shared with school districts; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor David Paterson, Assembly Speaker Sheldon Silver, Majority Leader Malcolm Smith, the local delegation for New York State Legislature, County Executives and Board Chairs of Erie, Monroe, Westchester and Onondaga Counties.

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

**RESOLUTION NO. 184-09: AUTHORIZATION TO AMEND RESOLUTION NO. 592-08 TO PAY LEGISLATIVE GRANT OF \$12,775.00 TO THREE FULL TIME ASSISTANT DISTRICT ATTORNEYS DURING THE MONTH OF MARCH AND NOT MAY 2009**

Mrs. Bender presented the following:

WHEREAS, the NYS DCJS advises that said legislative grant for recruitment and retention of assistant district attorneys must be paid by March 31, 2009 or there will be no funds available; and

WHEREAS, the executed contract period is 1/1/09 to 12/31/09; now, therefore, be it

RESOLVED, that Resolution 592-08 is amended and the District Attorney is hereby authorized to distribute the grant funds in March 2009 of \$12,775.00 which is totally reimbursable, and be it further

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

**A1165-DISTRICT ATTORNEY**

\$ 7,865.14 to .51025 (Assistant District Attorney FT)

\$ 3,932.57 to .51027 (Assistant District Attorney 2<sup>nd</sup> FT)

\$ 977.29 to .58200 (Payments to Social Security)

\$12,775.00 to .43322 (Legislative Grant-DA)

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

**RESOLUTION NO. 185-09: AUTHORIZATION TO AMEND DISTRICT ATTORNEY'S 2009 BUDGET TO REFLECT WAYNE-NET GRANT**

Mrs. Bender presented the following:

WHEREAS, the New York State Department of Criminal Justice Services has advised the County that Wayne-Net has received a grant in the amount of \$48,000.00 and said grant will be run through the District Attorney's Office for payment; now therefore be it

RESOLVED, that the Board of Supervisors does hereby approve the receipt of the \$48,000.00 Grant by the District Attorney's Office with no County Costs associated with the Grant, and further

RESOLVED that the County Treasurer amend the District Attorney's 2009 budget as follows:

Account No. A1165 – District Attorney

\$48,000.00 to .43716 (Legislative Grant-DA)

\$48,000.00 to .54528 (Legislative Grant-DA)

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

**RESOLUTION NO. 186-09: AUTHORIZATION TO PURCHASE DIGITAL RECORDING AND TRANSCRIPTION EQUIPMENT**

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 the 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 below are provided by Wayne County Information and Technology and will be purchased for the Public Defender's Office through that Department:

Digital recording and transcription equipment

6 - Olympus DS 50 - digital voice recorders	1257312	\$175.55 ea.	\$1,053.30
4 - Olympus AS 2400 Transcription Kit/digital	1601297	\$171.56 ea.	<u>\$ 686.24</u>
		Sub-Total	\$1,739.54

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, and be it further

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

Account No. A1170 - PUBLIC DEFENDER

\$ 1,739.54 to .52200 (Office Equipment)

\$ 1,739.54 from .54500 (Fees for Services Non-employees)

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

**RESOLUTION NO. 187-09: AUTHORIZATION TO PURCHASE DIGITAL CAMERA FOR THE WAYNE COUNTY PUBLIC DEFENDER'S 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 equipment and supplies to be purchased for the benefit of the Wayne County Public Defender's Office for the defense of their clients; and

WHEREAS, the Wayne County Public Defender's Office hereby requests authorization to purchase the following digital camera: Canon Power Shot SX 10 IS; now, therefore, be it

RESOLVED, that the Wayne County Public Defender's Office is hereby authorized to purchase a digital camera at a cost of \$360 as quoted by Village Camera Shop, Seneca Falls, New York. This digital camera will be purchased with DCJS Grant Funds; and be it further

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

Account No. A1170 - PUBLIC DEFENDER

\$360.00 to .52200 (Office Equipment)  
\$360.00 from .54500 (Fees for Services Non-employees)

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

**RESOLUTION NO. 188-09: AUTHORIZATION TO PURCHASE EDUCATIONAL MATERIALS FOR THE WAYNE COUNTY PUBLIC DEFENDER'S OFFICE**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Public Defender's Office was awarded a grant from the New York State Division of Criminal Justice Services; and

WHEREAS, the grant provides funds for the education and training of personnel employed by the Wayne County Public Defender's Office; and

WHEREAS, the Public Defender's Office is hereby requesting the purchase of the following books from Alibris Publishing, 1250 45th Street, Suite 100, Emeryville, CA 94608, USA:

DNA: FORENSIC AND LEGAL APPLICATION, by Dr. Larry Kobilinsky  
Item number: 28399176-1 \$ 45.17

FORENSIC DNA TYPING, by John Butler

Item number: 28399176-2	\$ 63.43
Shipping and Handling	<u>\$ 7.98</u>
TOTAL ORDER:\$	\$116.58

now, therefore, be it

RESOLVED, that the Wayne County Public Defender's Office is authorized to purchase books from Alibris Publishing for a cost not to exceed \$ 116.58.

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

**RESOLUTION NO. 189-09: AUTHORIZATION TO PURCHASE EQUIPMENT FOR THE WAYNE COUNTY PUBLIC DEFENDER'S 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 (hereinafter referred to as DCJS) that runs from April 1, 2007 – March 31, 2009; and

WHEREAS, the DCJS 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 of equipment. The price quotes are NYS contract quotes provided by Wayne County Information and Technology:

2 - Hewlett Packard Printers with two print trays -	\$ 400 each	\$ 800.00
1 - Hewlett Packard printer		128.99
2 - Hewlett Packard PC with backups	\$850 each	1,700.00
3 - Hewlett Packard printers	\$ 199 each	796.00
1 - Brother Fax/Scanner/Copier (with extra toner cartridge and 2 years warranty)		379.97
2 - Paper trays for printer	\$ 185.53 each	371.06
2 - Dell 630d Notebook Computers	\$ 703 each	\$ 1,406.00

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 to be paid for with DCJS Grant Funds, and further

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

Account No. A1170 - PUBLIC DEFENDER  
\$5,582.02 to .52201 (Computer Equipment)  
\$5,582.02 from .54500 (Fees for Services Non-employee)

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

**RESOLUTION NO. 190-09: AUTHORIZATION TO ACCEPT GRANT FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE AND MODIFY BUDGET FOR THE SHERIFF'S OFFICE**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Office of Sheriff has received a grant in the amount of \$4,600 from the Governor's Traffic Safety Committee for participation in the Child Passenger Safety Program (October 1, 2008 – September 30, 2009); now, therefore, be it

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

Account No. A3113 - Juvenile Office  
\$4,600.00 to .54461 (Public Education)  
\$4,600.00 to .43362 (Child Passenger Safety)

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

**RESOLUTION NO. 191-09: AUTHORIZATION TO TRANSFER FUNDS WITHIN THE MUTUAL AID (FIRE COORDINATOR) BUDGET**

Mrs. Bender presented the following:

WHEREAS, for the 2009 Budget, the Fire Coordinator requested funds for the purchase of one (1) battle fogger smoke machine at a cost of \$890; and

WHEREAS, the cost of said smoke machine has increased by \$105; now, therefore, be it

RESOLVED, that the Fire Coordinator is hereby authorized to purchase one (1) battle fogger smoke machine at a cost not to exceed \$ 995.00; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer the following funds within the Mutual Aid (Fire Coordinator) Budget:

Account No. A3410 - Mutual Aid (Fire Coordinator)  
\$105 from .54126 (Field Supplies) to .52500 (Other Equipment).

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

The Clerk read tonight's scheduled Public Hearing at 7:15 p.m. as follows:

**WAYNE COUNTY BOARD OF SUPERVISORS  
NOTICE OF PUBLIC HEARING**

**REGARDING THE ANNUAL REVIEW PERIOD FOR INCLUSION OF LAND  
IN A CERTIFIED AGRICULTURAL DISTRICT**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Supervisors of Wayne County, State of New York, on March 17, 2009 at 7:15 p.m. in the Supervisors Chambers, Wayne County Courthouse, 26 Church Street, Lyons, New York, regarding the ANNUAL REVIEW PERIOD FOR INCLUSION OF LAND IN A CERTIFIED AGRICULTURAL DISTRICT.

This hearing will be held to consider the recommendations of the Wayne County

Agriculture and Farmland Protection Board and any proposed modifications to existing agricultural districts.

This proposed action will modify Agricultural District No. 1 by adding 1719.255 acres of predominantly viable agricultural land found on 45 parcels, which are located in the Towns of Arcadia, Lyons, Rose, Savannah, Sodus, Williamson, and Wolcott and the Villages of Clyde, Lyons, Newark, Sodus, and Wolcott

A tax map illustrating the proposed district modifications and recommendations of the Wayne County Agriculture and Farmland Protection Board has been available for examination during regular business hours, in the Wayne County Planning Department, Second Floor, 9 Pearl St., Lyons, N.Y. 14489 and on the County website.  
[www.co.wayne.ny.us/Departments/planningdept/planningdept.htm](http://www.co.wayne.ny.us/Departments/planningdept/planningdept.htm).

All interested parties and citizens will be heard by representatives of the Wayne County Board of Supervisors at this public hearing.

Dated: February 23, 2009  
Lyons, New York

Sandra J. Sloane, Clerk  
Wayne County Board of Supervisors

The Chairman opened the floor for public comment and requested persons interested in addressing the Board with their concerns on the proposed action to modify Agricultural District No. 1 to come forth.

No one approached the podium, therefore, the Chairman requested for a motion to close the hearing. Mr. Lyon moved, seconded by Mr. Hammond, that the hearing be closed. Upon roll call, carried.

**RESOLUTION NO. 192-09: ESTABLISHING HOURLY WAGE FOR ENGINEERING TECH, SEASONAL POSITION**

Mr. LeRoy presented the following:

WHEREAS, the Highway Department has annually hired a seasonal Engineer Tech position; and

WHEREAS, the 2009 budget contains funds for this position; and

WHEREAS, it is necessary for the Board of Supervisors to establish the hourly wage for this position; now therefore be it

RESOLVED, that the hourly wage for the Engineering Tech, Seasonal position for the Highway Department is set at the rate of \$13.00 per hour.

1 - Engineer Tech, Seasonal                      \$13.00 per hour

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

**RESOLUTION NO. 193-09: AUTHORIZATION TO PURCHASE EQUIPMENT AND FURNISHINGS FOR CERTAIN COUNTY DEPARTMENTS**

Mr. LeRoy presented the following:

RESOLVED, that the Highway Superintendent is hereby authorized to purchase the following and equipment from state bid contract or best quotes according to the County's regulations and policies for purchasing and bidding at a cost not to exceed \$9,160.00.

1 – Straw unbaler                                  \$8,000.00

1 – Trailer    \$1,160.00

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

**RESOLUTION NO. 194-09: AUTHORIZATION TO CREATE ASSISTANT ENGINEERING MANAGER POSITION FOR THE HIGHWAY DEPARTMENT AND AMEND BUDGET**

Mr. LeRoy presented the following:

WHEREAS, the Assistant Highway Superintendent Position was eliminated from the 2009 Budget; and

WHEREAS, the County Engineering Department oversees Federal Aid Projects, performs in house-design for county highway projects, assists other county departments with engineering services and provides engineering services for many towns (a county revenue); and

WHEREAS, the ability to perform the engineering duties in house as opposed to hiring consulting firms is a cost savings to Wayne County, but cannot be supported by the current Engineering Staff; now, therefore, be it

RESOLVED, that the position of Assistant Engineering Manager is hereby created; and be it further

RESOLVED, that an annual salary of \$60,000 is hereby established for the position; and be it further

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

**Account No. D5020 - Engineering**

.51920	Assistant Engineering Manager	\$40,000
.58100	Retirement	4,400
.58200	Social Security	3,060
.58400	Hospitalization	3,630
.58600	Disability	104

**Increase revenues:**

D50200.42303 (Local)	\$25,000
D50200.44511 (Federal)	\$26,194

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

**RESOLUTION NO. 195-09: AUTHORIZE 2009 FEE SCHEDULES FOR CONSTRUCTION AND ENGINEERING SERVICE FOR THE HIGHWAY DEPARTMENT**

Mr. LeRoy presented the following:

WHEREAS, while the County Highway forces typically complete construction projects on county roads or properties, the county can also assist the county municipalities in completing some construction activities on their roadways. A reasonable fee schedule has been developed for the rental of county owned equipment.

Grader	\$51.19/hr
Roller	\$33.09/hr
Excavator	\$57.91/hr
Front End Loader	\$62.18/hr
Dozer	\$36.49/hr
Truck (6 Wheel)	\$41.84/hr
Truck (10 Wheel)	\$67.64/hr
Shoulder Widener	\$71.77/hr

and

WHEREAS, The County Highway Engineering Department can also offer the municipalities a variety of services including field surveying, mapping, GIS data collection, roadway design, culvert design, permitting and other design services; and

WHEREAS, in many cases, the Engineering Department can be a very cost efficient alternative to contracting with a consulting engineering firm. The following rates will be charged:

Field Survey Crew	\$52.75/hr
CADD Technician	\$24.95/hr
Junior Engineer	\$27.80/hr



further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby directed to charge these costs back to the various County Departments, accordingly.

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

**RESOLUTION NO. 199-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR ROOF REPLACEMENT AND CORNICE WORK AT COUNTY OFFICE BUILDING #0003, LOCATED AT 9 PEARL STREET, IN LYONS, NY**

Mr. LeRoy presented the following:

WHEREAS, County Office Building #0003, located at 9 Pearl Street is in serious need of a roof replacement as well as repairs or replacement of the metal Cornice along the north face roof line of the building; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for the Replacement of the Roof and Cornice Work at COB #0003 in accordance with specifications prepared by the Superintendent of Buildings and Grounds, and subject to the County Attorney's approval as to form and content; and be it further

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

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

**RESOLUTION NO. 200-09: AUTHORIZATION TO CONTRACT WITH DANIEL R. LONG ARCHITECT+ASSOCIATES, FOR PREPARATION OF BID SPECS FOR IMPROVEMENTS TO THE FIRE TRAINING BURN HOUSE**

Mr. LeRoy presented the following:

WHEREAS, Resolution # 34-09 authorized the Superintendent of Buildings and Grounds to seek proposals for engineering services for both the preparation of Bid Documents and provision of plans for obtaining a building permit; and

WHEREAS, Daniel R. Long Architect, has done two projects for Wayne County for the Burn Building Code issues and has provided a quote for this project; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign an agreement with Daniel R. Long Architects + Associates, for the provision of plans and specifications as per his proposal dated January 9<sup>th</sup>, 2009, subject to approval of the County Attorney as to form and content; and be it further

RESOLVED, that the fee for said services shall not exceed \$ 5,885.00.

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

**RESOLUTION NO. 201-09: AUTHORIZATION TO CONTRACT WITH IMPERIAL DOOR CONTROLS, INC. FOR MAINTENANCE ON AUTOMATIC DOOR OPENERS**

Mr. LeRoy presented the following:

WHEREAS, Wayne County has a total of 8 (eight) automatic door openers in three different County Office Buildings; and

WHEREAS, Imperial Door Controls provided and installed all of them; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a maintenance agreement with Imperial Door Controls for the period of one-year in the amount of \$1,200.00; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is authorized to pay said amount upon receipt of signed agreements.

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

adopted.

**RESOLUTION NO. 202-09: AUTHORIZATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AND LEASE AGREEMENT WITH WAYNE AREA TRANSPORTATION SERVICES, INC.**

Mr. LeRoy presented the following:

WHEREAS, Wayne Area Transportation Services, Inc. (WATS) wishes to construct a bus storage facility to accommodate it's fleet of approximately 32 buses on property owned by the County located at the Highway Department; and

WHEREAS, the County is willing to enter into a long term lease agreement with WATS to permit WATS to construct and maintain such a facility; and

WHEREAS, the County would be willing to enter into said lease for a period of 35 years at an annual rent of Seven Thousand Dollars, said base rent to be adjusted on an annual basis in amount equal to the greater of (i), the same percentage amount as the percentage increase as in the Consumer Price Index – all urban consumers (CPI-U) or (ii) three percent (3%); now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a Memorandum of Understanding and a lease agreement with WATS subject to the approval of the Wayne County Attorney for a lease of property located at the Wayne County Highway Department subject to the above mentioned terms and conditions.

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

**RESOLUTION NO. 203-09: AUTHORIZATION TO ENTER AGREEMENT WITH THE COUNTY OF WAYNE AND NEW YORK STATE FOR STIMULUS FUND PROJECT**

Mr. LeRoy presented the following:

WHEREAS, The Five Economic Recovery Projects:

- County Road 154 (Lake Bluff Road)-NYS 104 to Ridge Road Preventative Maintenance
- County Road 220 (Newark-Marion Road) Lyon Road to Gravel Pit preventative Maintenance
- County Road 103 (Ridge Road) E. Williamson Hamlet to Van Slyck Rehabilitation
- County Road 203 (Atlantic Ave) Downs Road to NYS Route 350 Rehabilitation
- Christian Holler Road bridge over Salmon creek Rehabilitation in Wayne County, are eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby approves the above Projects; and be it further

RESOLVED, that the County of Wayne agrees to advance the Projects through: The County's resources and agrees that the Wayne County Board of Supervisors hereby authorizes the County of Wayne to pay in the first instance the full federal costs and full non-federal costs of any and all phase(s) or portions thereof and hereby appropriates the funds necessary to complete the Projects including all phases or portions thereof; and be it further

RESOLVED, that the Wayne County Board of Supervisors makes a 100% commitment of the non-federal share (if any) of the costs of Construction/Construction Inspection phase(s) of work for the Projects or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation (hereinafter "NYSDOT") pursuant to the State/Local Agreement; and be it further

RESOLVED, that upon completion of construction of the Projects, or a fully usable portion thereof, the County of Wayne agrees to maintain the Projects, or fully usable portion thereof; and be it further

RESOLVED, that in the event the full federal and non-federal share of the Projects exceeds the amount appropriated above, the Wayne County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately; and be it further

RESOLVED, that the Chairman of the Board of Supervisors of the County of Wayne is hereby authorized to execute all necessary Agreements or certifications on behalf of the County of Wayne, (subject to the Municipal/Sponsor Attorney's approval as to form and content), with NYSDOT in connection with the advancement or approval of the Projects identified in the State/Local Agreement; and providing for the administration of the Projects and the municipality's first instance funding of the non-federal share of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary Agreement in connection with the Project(s); and be it further

RESOLVED, that this Resolution shall take effect immediately; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to create line items for the following accounts:

D51122.52623 CR 154 Preventative Maintenance

D51122.52624 CR 220 Preventative Maintenance

and be it further

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

Increase D51122.52920 Christian Holler Bridge Deck Replacement by \$225,000

Increase D51122.52621 Atlantic Avenue Rehabilitation by \$135,000

Increase D51122.52622 CR 103 (Ridge Road) Rehabilitation by \$418,000

Appropriate \$100,000 to D51122.52623 CR 154 Preventative Maintenance

Appropriate \$77,000 to D51122.52624 CR 220 Preventative Maintenance

Increase D9999.44551 Federal Aid-Stimulus Funds by \$955,000

and be it further

RESOLVED, that the County Treasurer is authorized to advance funds from the General Fund to the D9999.45031 fund for cash flow purposes on these projects.

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

**RESOLUTION NO. 204-09: AUTHORIZATION TO APPOINT MEMBER TO THE REGIONAL FISH AND WILDLIFE MANAGEMENT BOARD**

Mr. Spickerman presented the following:

RESOLVED, that the following individual is hereby appointed to the Regional Fish and Wildlife Management Board, effective 3/17/09 – 12/31/10:

Eugene VanDeusen (Landowner)

1337 Wolcott Road

Red Creek, NY 13143

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

**RESOLUTION NO. 205-09: APPROVING THE OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY (BLANKET) BOND FOR THE GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL**

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne has appropriated the sum of \$10,469 as its share of the year 2009 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

WHEREAS, pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated David S. Zorn, Executive Director of the Council, as the officer to receive payments of such monies;

and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000.00; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law.

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

**RESOLUTION NO. 206-09: MAKING A DETERMINATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**

Mr. Spickerman presented the following:

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQRA Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State, being 6 NYCRR Part 617, as amended (the "Regulations"), the Wayne County Board of Supervisors (the "Board") desires to determine whether the following action may have a "significant effect on the environment" (as said quoted term is defined in the SEQRA Act and the Regulations) and therefore require the preparation of an environmental impact statement: An action to modify Agricultural District No. 1 by adding 1719.255 acres of predominantly viable agricultural land found on 45 parcels, which are located in the Towns of Arcadia, Lyons, Rose, Savannah, Sodus, Williamson, and Wolcott and the Villages of Clyde, Lyons, Newark, Sodus, and Wolcott (the "Project"); and

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

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

RESOLVED, as follows:

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

**RESOLUTION NO. 207-09: APPROVE MODIFICATION OF AGRICULTURAL DISTRICT 1**

Mr. Spickerman presented the following:

WHEREAS, New York State enacted legislation enabling landowners to apply to the Board of Supervisors for inclusion of predominantly viable agricultural land into certified agricultural districts prior to the required eight year review period; and

WHEREAS, this legislation requires the County to establish an annual 30 day review period during which landowners may request inclusion in a certified agricultural district; and

WHEREAS, the Board of Supervisors 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, the following landowners have requested to have the following tax parcels included in a certified agricultural district;

Tax ID Num	Municipality	Name	Acres	Parcel Location	
68111-09-163678	V. Newark	Botcher, William G	17.25	00000	W Pearl St
68111-13-122478	V. Newark	Botcher, William G	0.65	00103	Plain St
68111-13-150371	V. Newark	Botcher, William G	21.45	00000	Stuart Ave
68110-18-276059	V. Newark	Burm, James P	10.71	00120	Clark Rd
68111-00-032526	Arcadia	Botcher, William G	47.20	05741	Tellier Rd
68111-00-091327	Arcadia	Botcher, William G	3.82	00104	Stuart Ave
68111-00-101477	Arcadia	Botcher, William G	0.80	00199	Fair St
68111-00-103438	Arcadia	Botcher, William G	3.53	00197	Fair St
67109-00-923972	Arcadia	El-Vi Farms, Inc	14.12	00183	Botcher Rd
67109-00-475982	Arcadia	Henry, Raymond	124.43	05326	Bell Rd
69110-00-169331	Arcadia	Johnson, Lisa M	83.80	00381	Marbletown Rd
69111-00-522235	Arcadia	Krebbeks Family, Inc Trust	25.45	06920	Blue Cut Rd
67111-00-939558	Arcadia	Newark Rod & Gun Club	35.46	05704	Tellier Rd
67110-00-267927	Arcadia	Schram, Robert E	4.15	00000	Hanley Rd
68109-00-950938	Arcadia	Tormey Diana M	5.42	00000	Sweed Rd
69110-00-067890	Arcadia	Verstraete, Edward	55.07	06570	Blue Cut Rd
68109-00-088922	Arcadia	Wahl Jacquelyn M	5.91	05817	Clark Rd
74112-15-730324	V. Clyde	DeRenzo, Michael	12.00	00000	E Dezens St
74112-09-035599	V. Clyde	Fischette, Dennis	9.89	00293	W Dezens St
74112-17-240091	V. Clyde	Fischette, Wm Jr	7.24	00000	Waterloo St
73112-20-995126	V. Clyde	Martin, Jay N	51.70	00000	Geneva St Rear
70111-19-616131	V. Lyons	Bauer, Lee H	12.27	00000	Bauer Rd
71112-19-518187	V. Lyons	Manktelow, Brian	12.39	00000	Canal St
71112-19-530081	V. Lyons	Manktelow, Brian	24.96	00000	Canal St
70110-00-906929	Lyons	Manktelow, Brian	62.00	00000	Leach Rd
74115-00-206587	Rose	Lyman, Herman	64.00	10766	Lyman Rd

77111-05-126813	Savannah	Colvin Family Properties LLC	16.09	00000	W Church St
77111-09-198588	Savannah	Jackson Farms Inc	71.60	00000	N Main St Rear
69117-06-500821	V. Sodus	Johnson, Scott	6.07	00000	Orchard Terr
70116-00-350712	Sodus	Bartleson, Yvonne	11.00	00000	School St
70116-00-423717	Sodus	Bartleson, Yvonne	4.39	00000	School St
67117-00-525817	Sodus	Wilson, Robert R	1.78	00000	Ridge Rd W
65117-00-249990	Williamson	Goodale, Merton	60.06	06554	Salmon Crk Rd
66119-00-463370	Williamson	Gulick, Timothy S	14.84	00000	Bear Swmp Rd
75117-08-815750	V. Wolcott	Youngman, Dallas	47.39	00000	Lake Ave
75117-08-831815	V. Wolcott	Youngman, Dallas	23.53	00000	Lake Ave
75117-11-622705	V. Wolcott	Youngman, Dallas	52.60	00000	W Port Bay Rd
75117-12-897640	V. Wolcott	Youngman, Dallas	31.90	00000	High St
78117-00-466578	Wolcott	Andrews, Willard	82.30	06273	Westbury Rd
77119-00-350952	Wolcott	Cahoon, Farms Leasing	121.52	00000	Ford Rd
77120-00-550424	Wolcott	Livingston, Charles/Daniel	98.85	00000	Kakat Rd
76118-00-637289	Wolcott	Wayne County Eggs LLC	46.50	06768	Wadsworth Rd
76118-00-318347	Wolcott	Wayne County Farms LLC	37.25	00000	Wadsworth Rd
76118-00-326223	Wolcott	Wayne County Farms LLC	28.50	00000	Wadsworth Rd
77119-00-403115	Wolcott	Youngman, Dallas	248.00	13288	Chapman Crnrs
<b>TOTAL ACREAGE</b>					<b>1719.255</b>

and

WHEREAS, the Agricultural Development Board has reviewed and approved this modification and has determined that the land requested for inclusion in the agricultural district is predominantly viable agricultural land; and

WHEREAS, the Board of Supervisors has conducted the required public hearing; now, therefore, be it

RESOLVED, that Wayne County Agricultural District No. 1 is hereby modified to include the agricultural land identified by their tax parcel numbers in the above referenced chart.

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

**RESOLUTION NO. 208-09: RESOLUTION SETTING PUBLIC HEARINGS FOR GRANT APPLICATION SMALL CITIES FUNDING**

Mr. Spickerman presented the following:

WHEREAS the New York State Office of Community Renewal has solicited proposals from municipalities under the 2009 Annual Competitive Round of the Small Cities program; and WHEREAS, the deadline for filing the 2009 application is April 24, 2009; and

WHEREAS, potential applicants for Small Cities funding are required to schedule and conduct two advertised public hearings prior to the submission of such applications to give the public the opportunity to suggest projects for municipalities to consider; and

WHEREAS, Wayne County may have an interest in filing an application under the 2009

Annual Competitive Round; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the Clerk of the Board to advertise and conduct the hearings in time to permit the filing of a 2009 Small Cities application; and be it further

RESOLVED, that the hearings be set for Tuesday, April 7<sup>th</sup>, 2009 at 10 am in the Board of Supervisors' Chambers at 26 Church Street, Lyons, New York and on Monday April 20<sup>th</sup> at 10 am in the Board of Supervisors' Chambers at 26 Church Street, Lyons, New York; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to publish notice in the legal newspapers for the County for the first available publication.

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

**RESOLUTION NO. 209-09: AUTHORIZATION TO AMEND 2009 BOARD OF ELECTIONS BUDGET FOR GRANT CARRYOVER FUNDS**

Mr. Lauderdale presented the following:

WHEREAS, the Wayne County Board of Elections entered into Grants in 2008 which started April 1, 2008 and are scheduled to end March 31, 2009; and

WHEREAS, a portion of the Grants were not expended in 2008 and can be utilized in 2009, now therefore, be it

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

**Account No. A1450- Board of Elections**

\$22,404.14 to .54488 NYS Polling Place Imp T002696  
\$ 7,358.00 from .54489 NYS Polling Access Imp T002638  
\$ 1,241.64 from .54491 NYS Polling Place Imp T002821  
\$ 2,853.69 from .54494 Voter Ed & Trng C002580  
\$22,404.14 to .43962 NYS Polling Place Imp T002696  
\$ 7,358.00 from .43963 NYS Polling Access Imp T002638  
\$ 1,241.64 from .43964 NYS Polling Place Imp T002821  
\$ 2,853.69 from .43965 Voter Ed & Trng C002580

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

**RESOLUTION NO. 210-09: AUTHORIZATION TO AMEND 2009 BOARD OF ELECTIONS BUDGET FOR COUNTY MATCH OF GRANT MONEY**

Mr. Lauderdale presented the following:

WHEREAS, the HAVA grant funds received by the Wayne County Board of Elections for purchase of optical voting machines and ancillary equipment requires a 5% County match; and

WHEREAS, the Board of Elections anticipates the purchase of equipment and ancillary equipment from these HAVA funds in 2009 for the estimated amount of \$203,648.00; and

WHEREAS, the required County match of 5% for these expenditures would be estimated at \$11,241.70; now, therefore, be it

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

Account No. A1990 Contingent Gen Fund  
\$11,241.70 from .54000 (Contractual Expense)  
Account No. A1450 Board of Elections  
\$11,241.70 to .52500 (Other Equipment)

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

**RESOLUTION NO. 211-09: AUTHORIZATION TO PURCHASE ADA PRIVACY VOTING**

**BOOTHS FOR BOARD OF ELECTIONS**

Mr. Lauderdale presented the following:

WHEREAS, HAVA requires privacy booths for voters with the full implementation of the optical scan voting machines; and

WHEREAS, HAVA requires ADA compliance for disabled voters for voting; now, therefore, be it

RESOLVED, that the Board of Elections is authorized to purchase 40 ADA Privacy Voting Booths at a cost of \$175.00 each for a total cost of \$7,000 from our NYS Polling Place Improvement funds grant.

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

**RESOLUTION NO. 212-09: AUTHORIZATION TO AMEND 2009 COUNTY CLERK'S EQUIPMENT BUDGET**

Mr. Lauderdale presented the following:

WHEREAS, the County of Wayne has funded a new Document imaging project in the Office of the County Clerking 2008; and

WHEREAS, due to an accounting error, a payment of \$51,564 for Building Maintenance and Repairs was deducted from the project equipment account in 2008 thus not available for 2009; and

WHEREAS, these funds will be needed to complete the said Document Imaging System Project; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$51,564.00 in funds from the Appropriated Fund Balance as follows:

**A1410-COUNTY CLERK:**

\$51,564.00 to .52200 Office Equipment

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

**RESOLUTION NO. 213-09: AUTHORIZATION TO SET CONFIDENTIAL/MANAGERIAL SALARY IN HUMAN RESOURCES DEPARTMENT FOR FISCAL YEAR 2009**

Mr. Lauderdale presented the following:

WHEREAS, a confidential/management position, Senior Personnel Clerk, is vacant in the Wayne County Human Resources Department due to a promotion; and

WHEREAS, the County Administrator anticipates authorizing the refilling of the position of Senior Personnel Clerk effective March 20, 2009; and

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

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

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

WHEREAS, the department needs to begin to recruit for the position; now, therefore, be it

RESOLVED, that the salary for the vacant Senior Personnel Clerk is hereby established up to \$30,451 per year.

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

**RESOLUTION NO. 214-09: AUTHORIZATION TO INCREASE THE COUNTY CLERK'S PETTY CASH ACCOUNT**

Mr. Lauderdale presented the following:

WHEREAS, the County Clerk has reorganized the intake counter in the County Clerks

office which will provide for two more staff assisting customers with transactions; and  
WHEREAS, the additional two workers will require access to a petty cash drawer to make appropriate change when required; now therefore be it  
RESOLVED, that the County Treasurer is hereby authorized to increase the petty cash account in the County Clerks office from an amount of \$180.00 to an amount of \$235.00.  
Mr. Lyon moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

**RESOLUTION NO. 215-09: AUTHORIZATION TO EXECUTE CONTRACT WITH KIRTAS TECHNOLOGIES, INC. FOR COUNTY HISTORIAN**

Mr. Lauderdale presented the following:  
WHEREAS, the County Historian has applied for and received approval for a \$2,000.00 Hoffman Foundation Grant to continue the scanning and archiving of County historical Hoffman Essays; and  
WHEREAS, Kirtas Technologies, Inc. has provided a written quote for these scanning and archiving services; now, therefore, be it  
RESOLVED, that the Chairman of the Board is hereby authorized to execute a the contract with Kirtas Technologies, Inc., based upon the review and approval of the County Attorney; and be it further  
RESOLVED, that the contract will not exceed the grant amount of \$2,000 (budget line Account No. A75104.54484).  
Mr. Fabino moved the adoption of the resolution. Seconded by Mr. Lyon. Upon roll call, adopted.

**RESOLUTION NO. 216-09: AUTHORIZATION TO AMEND THE 2009 BUDGET AND PURCHASE A POLYCOM VSX IP FOR BIOTERRORISM**

Ms. Park presented the following:  
WHEREAS, the New York State Department of Health will discontinue its support of the ISDN communication system; and  
WHEREAS, counties must now provide their own video conferencing equipment and maintenance of such equipment; and  
WHEREAS, the Public Health Department and the Emergency Management Department will be sharing the cost of purchasing a Polycom VSX IP and will provide the funds for maintaining the equipment; now, therefore, be it  
RESOLVED, that the Directors of Public Health and Emergency Management are hereby authorized and directed to purchase the Polycom VSX IP at a cost not to exceed \$8,198., and, be it further  
RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to transfer as follows:  
**A4011-PUBLIC HEALTH SERVICE**  
\$4,099.00 from .54793 (Bio-Terrorism)  
\$4,099.00 to .52200 (Office Equipment)  
**A3640 – EMERGENCY MANAGEMENT**  
\$4,099.00 from 44305 (Civil Defense Revenue)  
\$4,099.00 to 52200 (Office Equipment)  
Mr. LeRoy moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

**RESOLUTION NO. 217-09: AUTHORIZATION TO AMEND THE 2009 BUDGET AND PURCHASE EQUIPMENT FOR BIOTERRORISM**

Ms. Park presented the following:  
WHEREAS, a Fridge Freeze was purchased from the addendum in February 2009; and  
WHEREAS, there was not enough money to include the UPS Battery Back-up System due to price changes from the manufacturer; and

WHEREAS, this back-up system is necessary for off-site immunization needs; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to purchase the battery back-up system at a cost not to exceed \$912.36; and be it further

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

**A4011-PUBLIC HEALTH SERVICE**

\$913.00 from .54793 Bio-Terrorism

\$913.00 to .52200 Office Equipment

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

**RESOLUTION NO. 218-09: AUTHORIZATION TO EXECUTE CONTRACT WITH REHAB RESOURCES FOR THE CERTIFIED HOME HEALTH AGENCY**

Ms. Park presented the following:

WHEREAS, the County Health Department must contract for Speech Therapy, Physical Therapy, and Occupational Therapy for patients in the Certified Home Health Agency (CHHA); and

WHEREAS the following provider employs licensed professionals qualified and competent to provide such services; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with Rehab Resources, 159 West First Street, Oswego, New York, 13126, subject to the provider being currently in compliance with the County's insurance requirements and the County Attorney's approval as to form and content for the period 05/01/2009 – 04/30/2010 at a cost not to exceed \$2,500.00 for all services listed at the following rates:

Speech Therapy \$66.00/one hour visit

Physical Therapy \$65.00/one hour visit

Occupational Therapy \$65.00/one hour visit

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

**RESOLUTION NO. 219-09: AUTHORIZATION TO SIGN MEMORANDUM OF UNDERSTANDING (MOU) WITH THE TOBACCO ACTION COALITION OF THE FINGER LAKES (TACFL) AND REALITY CHECK**

Ms. Park presented the following:

WHEREAS, Tobacco Action Coalition of the Finger Lakes (TACFL) and Reality Check are requesting retailers of the Finger Lakes reduce their overall tobacco advertising in their place of business and to eliminate tobacco advertising from areas where it is likely to be seen by children; and

WHEREAS, TACFL and Reality Check are requesting a signed MOU from Wayne County Public Health to support their efforts; now, therefore, be it

RESOLVED, that the Director of Public Health is authorized to sign the MOU between TACFL & Reality Check and Wayne County Public Health upon review and approval of the County Attorney.

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

**RESOLUTION NO. 220-09: DECLARATION OF BAD DEBT FOR WAYNE COUNTY PUBLIC HEALTH DEPARTMENT**

Ms. Park presented the following:

WHEREAS, the Wayne County Public Health Dept. cost reporting requirements includes

the annual acknowledgement of Bad Debt expense; and  
WHEREAS, for fiscal year ending 2007, the bad debt declaration which includes billings from prior years is stated at \$9,220.00; now, therefore, be it

RESOLVED, that the Board of Supervisors acknowledges the amount of \$ 9,220 as the 2009 Bad Debt Declaration for the Wayne County Public Health Department.

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

**RESOLUTION NO. 221-09: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO SURPLUS MISCELLANEOUS ITEMS**

Ms. Park presented the following:

WHEREAS, the Mental Health Department has cleaned out an office storage area; and

WHEREAS, the department has determined that a variety of items listed below are no longer serviceable; and

WHEREAS, such items are in need of being removed from the Mental Health Department by the Buildings and Grounds Department for proper disposal and disposition; now, therefore, be it

RESOLVED, that the following items of the Mental Health Dept. are hereby declared surplus:

- 1 wooden desk topper
- 1 Fellows powershed 320 paper shredder
- 1 Xerox 640 memory-writer
- 1 metal fan
- 1 Xerox workcentre fax machine 470 cx
- 1 Pitney Bowes mail scale
- 1 silver reed ex55 typewriter
- 3 desk chairs
- 1 Xerox photo copier 5034
- 1 sentry safe
- 2 florescent ceiling lights
- 1 Zenith data system pc
- 1 Panasonic monitor
- 1 Metal suitcase
- 1 Pelouze mail scale
- 1 wooden desk
- 1 wooden desk wing
- 1 broken kitchen chair
- 1 clip on lamp

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

**RESOLUTION NO. 222-09: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO SURPLUS VEHICLE**

Ms. Park presented the following:

WHEREAS, the Mental Health Department vehicle #67-105, which is a 1996 Chevrolet Cavalier, color green, VIN number 1G1JC5243T7214493, with mileage of 135,851 is in need of being classified as surplus; and

WHEREAS, the county garage has evaluated the vehicle for serviceability; and

WHEREAS, such evaluation concluded the vehicle is no longer serviceable and no longer safe to operate due to the sub-frame being rotted out, the engine has a severe oil leak, and 2 doors will no longer remain closed, and as Such is not worthy of repair; and

WHEREAS, the department has replaced this vehicle with another; now, therefore, be it

RESOLVED, that vehicle #67-105 is hereby declared surplus.

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

adopted.

**RESOLUTION NO. 223-09: APPOINTMENT OF MEMBERS TO THE WAYNE COUNTY COMMUNITY SERVICES BOARD**

Ms. Park presented the following:

WHEREAS, the following Wayne County Community Services Board Members service terms have expired; and

WHEREAS, each of the following members would like to continue serving on the Board for a renewed 4-year term; and

WHEREAS, the Community Services Board voted to renew these individuals membership and hereby nominate to the Board of Supervisors the following Wayne County residents to serve on the Community Services Board for a term to expire on December 31, 2012; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors, upon recommendation of the Wayne County Community Services Board, hereby appoints Mr. Frank Quinn, Mr. Frank Guelli, Ms. Penny Frontuto, and Ms. Penny Shockley to serve on the Wayne County Community Services Board in accordance with the Wayne County Community Services Board Bylaws and pursuant to Article 41 of New York State Mental Hygiene Law, for the duration of the term to expire on December 31, 2012.

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

**RESOLUTION NO. 224-09: AUTHORIZATION TO ESTABLISH CONTRACT OF AFFILIATION BETWEEN WAYNE BEHAVIORAL HEALTH NETWORK AND KEUKA COLLEGE FOR STUDENT FIELD INTERNSHIP EDUCATION**

Ms. Park presented the following:

WHEREAS, Keuka College has established educational programs in various health related programs, and as such Keuka College desires to have certain students receive fieldwork educational experiences at Wayne Behavioral Health Network; and

WHEREAS, Wayne Behavioral Health Network (WBHN) is willing to accept said students for such purposes from the Keuka College as WBHN is a teaching facility; and

WHEREAS, this arrangement is mutually beneficial to all parties, however more particular to WBHN as providing this fieldwork program experience to students assists WBHN in meeting and addressing the increasing community needs for mental health treatment, it also contributes to the agency financially, it enriches the agency's staffing, enhances the educational environment of our agency, and contributes to the development and growth of the Human Service & Mental Health Professions; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors, subject to County Attorney approval as to form and content, is authorized to execute a contract between Keuka College and Wayne Behavioral Health Network to establish and provide students with fieldwork educational internships at WBHN.

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

**RESOLUTION NO. 225-09: AUTHORIZATION TO BID FOR LINEN SERVICES FOR THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, Wayne County has contracted with a professional service provider for linen services which includes maintaining an inventory, laundry, process and delivery to the Wayne County Nursing Home; and

WHEREAS, this contract period from June 1, 2005 ends on May 31, 2009; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bid proposals for linen services to the Wayne County Nursing Home in accordance with the specifications approved by the Nursing Home Administrator and approved by the County Attorney as to content and form; and be it further

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

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

**RESOLUTION NO. 226-09: AUTHORIZE AGREEMENT WITH NYS OFFICE OF DEVELOPMENTAL DISABILITIES SERVICES OFFICE FOR THE SENIOR COMPANION PROGRAM**

Ms. Park presented the following:

WHEREAS, Developmental Disabilities Services Office ("DDSO") provides senior companions to the nursing home residents; and

WHEREAS, the Nursing Home Administrator is desirous to renew the contract with DDSO for the provision of Senior Companion Program; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement effective April 1, 2009 through March 31, 2012.

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

**RESOLUTION NO. 227-09: RESOLUTION AMENDING RESOLUTION 1014-04 TO CORRECT A TYPOGRAPHICAL ERROR RELATING TO THE TERM OF APPOINTMENT OF SOCIAL SERVICES COMMISSIONER**

Mr. Hammond presented the following:

WHEREAS, Resolution No. 1014-04 adopted on December 21, 2004 appointed M. Josh McCrossen to the office of Social Services Commissioner for a five year term commencing February 15, 2005; and

WHEREAS, Resolution No. 1014-04 erroneously specified the dates of the five year term to run 2/15/05 to 2/14/09; and

WHEREAS, the five-year term should have been indicated as 2/15/05 to 2/14/10 in the Resolution; now therefore, be it

RESOLVED, the Resolution No. 1014-04 is hereby amended to reflect the correct five year appointment of M. Josh McCrossen as Commissioner of Social Services for Wayne County as "five (5) years effective 2/15/05 to 2/14/2010."

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

**RESOLUTION NO. 228-09: CREATE POSITION AUTHORIZED IN THE 2009 BUDGET FOR SOCIAL SERVICES**

Mr. Hammond presented the following:

WHEREAS, a position of Social Welfare Examiner was authorized in the 2009 Social Services Budget for the Medicaid Unit due to increased workload; and

WHEREAS, a processing backlog for new Medicaid applications continues to exist impacting local long term care providers; and

WHEREAS, Social Welfare Examiners conduct the initial review of the applications and ensure that the documentation is complete and accurate prior to review by a Senior Social Welfare Examiner who in turn authorizes a case to be opened; and

WHEREAS, due to these workflow and processing protocols, this new position is needed to reduce the processing backlog; and

WHEREAS, this position will be fully reimbursed by New York State under Medicaid

administrative funding; now, therefore, be it

RESOLVED, that the new position of Social Welfare Examiner authorized in the 2009 budget is hereby created.

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

**RESOLUTION NO. 229-09: AUTHORIZATION TO DECLARE VEHICLE SURPLUS FOR THE DEPARTMENT OF SOCIAL SERVICES**

Mr. Hammond presented the following:

WHEREAS the following vehicle is no longer of use by the Wayne County Department of Social Services: 2000 Plymouth Suburban VIN#2P4GP25R6YR503123; now, therefore, be it

RESOLVED, that the above vehicle is hereby declared surplus and moved to Central Garage to be disposed of in accordance with the surplus Vehicle Disposition Procedure outlined in Resolution No. 357-91.

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

**RESOLUTION NO. 230-09: AUTHORIZATION TO EXECUTE CONTRACT RENEWAL WITH HOME DELIVERED MEAL SERVICE 2009 TITLE III C-2 FOR DEPARTMENT OF AGING AND YOUTH**

Mr. Hammond presented the following:

WHEREAS, the Federal Older Americans Act allocates Title III C-2 funds to provide home delivered meals to homebound elderly individuals who are nutritionally at risk; and

WHEREAS, the Department of Aging and Youth contracts with the Home Meal Service, Inc. to provide this home meal delivery service. The contract year is for the period of January 1, 2009 through December 31, 2009. The Title III C-2 contract is in the amount of \$32,065 plus the contributions and USDA allotment. Home Meal Service provides the \$3,563 match; 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 Home Delivered Meal Service, in the amount of \$32,065 for the period of April 1, 2009 through March 31, 2010.

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

**RESOLUTION NO. 231-09: AUTHORIZATION TO EXECUTE 2009 CONTRACT RENEWAL WITH HOME MEAL SERVICE FOR SODUS SENIOR CENTER FOR THE DEPARTMENT OF AGING AND YOUTH**

Mr. Hammond presented the following:

WHEREAS, the Department of Aging and Youth contracts with Home Meal Service to administer the Sodus Senior Center (congregate meal site), and

WHEREAS, the Supplemental Nutritional Assistance program (SNAP) grant is utilized to fund the Sodus Senior Center. The contract year is for the period of April 1, 2009 through March 31, 2010, 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 Home Delivered Meal Service to run the Sodus congregate meal site, in the amount of \$8,000 for the period of April 1, 2009 through March 31, 2010.

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

**RESOLUTION NO. 232-09: AUTHORIZATION TO EXECUTE 2009 SUPPLEMENTAL**

**NUTRITIONAL ASSISTANCE PROGRAM (SNAP) CONTRACT RENEWAL WITH HOME DELIVERED MEAL SERVICE FOR THE DEPARTMENT OF AGING AND YOUTH**

Mr. Hammond presented the following:

WHEREAS, the NY State allocates Supplemental Nutritional Assistance program (SNAP) grant funds to provide home delivered meals to homebound elderly individuals who are nutritionally at risk; and

WHEREAS, the Department of Aging and Youth contracts with Home Delivered Meal Service, Inc. to provide this home meal delivery service. The Contract year runs for the period of April 1, 2009 through March 31, 2010. The SNAP contract is in the amount of \$93,645 plus the contributions and USDA allotment; 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 Home Meal Service, in the amount of \$93,645 for the period of April 1, 2009 through March 31, 2010.

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

**RESOLUTION NO. 233-09: AUTHORIZATION TO HIRE SODUS POINT PARK STAFF FOR THE 2009 SEASON**

Mr. Hammond presented the following:

WHEREAS, the Wayne County Department of Aging and Youth is requesting authorization to hire sufficient staff for the operation of Sodus Point Park for the 2009 Season including: Skills Test, Staff Orientation, Beach Operations Set-up, Lifeguard Supervised Swimming 7 days/week, 8 hours/day (11:00 a.m.-7:00 p.m.) June 30-September 7, 2009, and Staff Training; now, therefore, be it

RESOLVED, that the Chairman of the Board does hereby authorize the hiring of 16 staff for the operation of Sodus Point Park for the 2009 season; and be it further

RESOLVED, that the rates for Staff salaries for the season will be within the approved 2009 Wayne County Budget as follows:

Director	\$11.45/hour
4 <sup>th</sup> Year+ Lifeguard	9.15/hour
3 <sup>rd</sup> Year Lifeguard	8.80/hour
2 <sup>nd</sup> Year Lifeguard	8.45/hour
1 <sup>st</sup> Year Lifeguard	8.10/hour
Assistant Director	1.15 additional/hour
Lifeguard-in-Charge	.65 additional/hour

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

**RESOLUTION NO. 234-09: AUDIT OF CLAIMS – MARCH 17, 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 **\$3,626,688.26** are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$ 2,680,483.29
2. D Fund	\$ 347,166.82
3. DM Fund	\$ 68,449.01
4. E Fund	\$ 284,900.41
5. H Fund	\$ 211,209.85
6. MS Fund	\$ 21,462.88
7. S Fund	\$ 12,252.00
8. TE Fund	<u>\$ 764.00</u>

Warrant Total \$ 3,626,688.26

and be it further

RESOLVED, that the following utilities totaling \$131,437.20, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$ 95,467.79
2. DM Fund	\$ 7,293.25
3. E Fund	\$ 28,676.16
Utility Total	\$ 131,437.20

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling \$ 97,697.45 are hereby ratified:

1. Buildings & Grounds	\$ 850.00
2. Sheriff-Misc.	\$ 3.30
3. Sheriff-Pistol Permits	\$ 6,974.50
4. Social Services	\$ 131.00
5. County Attorney	\$ 181.63
6. WBHN	\$ 607.35
7. Workers' Comp	\$ 88,949.67
Misc. Disbursement Total	\$ 97,697.45

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

**RESOLUTION NO. 235-09: AUTHORIZATION TO PURCHASE EQUIPMENT THE WAYNE COUNTY PUBLIC DEFENDER'S 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 (hereinafter referred to as DCJS) that runs from April 1, 2007 – March 31, 2009; and

WHEREAS, the DCJS 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, by approved Resolutions numbered 152-09 and 154-09, the Wayne County Public Defender's Office hereby requests authorization transfer DCJS funds for the purchase of the equipment set forth in those Resolutions; 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 to be paid for with DCJS Grant Funds, and be it further

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

**A1170-PUBLIC DEFENDER:**

\$ 1,643.28 to .52201 Computer Equipment  
\$ 1,643.28 from .54500 Fees for Services Non-employee for Res. No. 152-09 and  
\$ 66.82 to .52201 Computer Equipment  
\$ 66.82 from .54500 Fees for Services Non Employee for Res. No. 154-09

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

**RESOLUTION NO. 236-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO CONTRACT WITH WILLIAM SCHNEIDER, M.D. TO PROVIDE PSYCHIATRIC SERVICES TO WBHN**

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) is in need of additional medical psychiatric services and as such wishes to contract with William Schneider, MD to provide such medical services for the period of April 1, 2009 to December 31, 2009; and

WHEREAS, the corresponding service rate is \$130 per hour for psychiatric services; and

WHEREAS, it is medically necessary that WBHN provide psychiatric services; now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board is authorized to establish a contract with the above provider, subject to the County Attorney's review as to form and content.

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

**EXECUTIVE SESSION:** Mr. Lyon moved, seconded by Mr. Plant, that the Board go into Executive Session to discuss proposed litigation and a personnel matter. Upon roll call, carried.

**REGULAR SESSION:** Mr. Plant moved, seconded by Mr. Colacino that the Board resume regular session at 7:50 p.m. Carried.

Mr. Groat moved, seconded by Ms. Park that one (1) resolution be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Collier. Motion carried.

**RESOLUTION NO. 237-09: AUTHORIZE THE WAYNE COUNTY ATTORNEY TO COMMENCE LEGAL ACTION AGAINST THE VILLAGE OF MACEDON TO RECOVER WAYNE COUNTY WORKERS' COMPENSATION BUY OUT FIGURE**

Mr. Lyon presented the following:

WHEREAS, Resolution No. 674-08 enacted September 30, 2008 authorized the Village of Macedon to leave the Wayne County Workers' Compensation plan, effective September 1, 2008, and established a buy out figure of \$34,354 to be paid to the County of Wayne by the Village of Macedon; and

WHEREAS, the Village of Macedon has indicated that it disagrees with that part of the buy out set forth as term liability in the amount of \$20,340; and

WHEREAS, the County of Wayne received a check from the Village of Macedon on December 16, 2008 in the amount of \$14,020 as in for the Village of Macedon's buy out figure; now, therefore, be it

RESOLVED, that the Wayne County Attorney is hereby authorized and directed to commence legal action against the Village of Macedon to recoup the remaining \$20,334 owed to the Wayne County Workers' Compensation plan together with costs disbursements and interest.

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

**ADJOURNMENT:**

The next scheduled meeting of the Board is Tuesday, April 21, 2009 at 9:00 a.m.

Ms. Park moved, seconded by Mr. Plant, that the board adjourn at 7:53 p.m. Carried.

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

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