

9th Day  
Tuesday, May 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.

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

**APPROVAL OF MINUTES:**

Mr. Fabino moved, seconded by Mr. Hammond, 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:</b>	<b>1 Finance</b>	
A13254	Treasurer	3,361.06
A13554	Assessment - Real Property Tax	475.83
A13644	Expenses on Prop Acquired For	304.87
A16802	Information Technology	20,656.00
A16804	Information Technology	48,713.80
A19304	Judgments & Claims	200.60
A24904	Community College	16,643.96
H19332	Building Renovation Project	94,171.14
H19392	Route 31 Complex	11,927.79
		<b>196,455.05</b>
<b>Committee:</b>	<b>2 Public Safety</b>	
A11654	District Attorney	4,839.72
A11674	Crimes Victims Board Grants	74.87
A11702	Public Defender	3,217.98
A11704	Public Defender	5,391.75
A11724	Legal Defense of Indigents	76,453.11
A11734	Wayne Pre-Trial Services, Inc.	9,219.92
A11854	Coroner	4,181.95
A11904	Grand Jury	1,594.18
A31104	Sheriff	6,197.48
A31114	Sheriff - Recreational Safety	730.90
A31124	Sheriff - Civil Office	386.40
A31134	Sheriff - Juvenile Office	174.08
A31142	Sheriff - Road Patrol	678.24
A31144	Sheriff - Road Patrol	6,370.87
A31152	Sheriff - Detective Unit	832.05

A31154	Sheriff - Detective Unit	459.35
A31164	Sheriff - Court Security	190.65
A31174	Animal Abuse Investigations	1,320.87
A31404	Probation	4,053.09
A31504	Sheriff - Jail	39,588.91
A33154	Stop DWI	9,814.96
A34104	Mutual Aid (Fire Coordinator)	582.71
A36404	Emergency Management Office	259.61
A36424	E911 Communications	6,105.82
A36444	ALS Services	10,773.59
TE	Trust, Expendable	7,475.10

**200,968.16**

**Committee: 3 Public Works**

A16150	Buildings & Grounds	80.00
A16152	Buildings & Grounds	18,292.31
A16154	Buildings & Grounds	37,559.17
A16404	Central Garage	11,762.77
A87304	Soil Conservation	4,682.50
D50104	Highway Administration	699.74
D50204	Highway Engineering	94.85
D51104	Maintenance of Roads & Bridges	67,836.89
D51114	Road Striping & Sign Maint	79,812.53
D51122	Road Construction	492,761.40
D51424	Snow Removal - County	9,583.93
DM51302	Road Machinery	23,233.90
DM51304	Road Machinery	60,939.58

**807,339.57**

**Committee: 4 Economic Development & Planning**

A64104	Publicity (Tourism)	3,719.09
A64114	Tourism Matching Funds Program	3,252.38
A80204	Planning Board	959.92
H59022	Amtrak Station	2,556.52

**10,487.91**

**Committee: 5 Government Operations**

A10104	Legislative Board	237.90
A10404	Clerk Legislative Board	144.13
A12304	County Administration	101.43
A14102	County Clerk	871.80
A14104	County Clerk	1,347.16
A14204	County Attorney	695.28
A14304	Human Resources	456.09
A14314	Cafeteria Plan	717.60

A14502	Board of Elections	86.84
A14504	Board of Elections	2,061.88
A16714	Printing Department	5,473.67
A75104	County Historian	1,436.21
S17104	Workers Comp	75,263.00
		<b>88,892.99</b>
<b>Committee:</b>	<b>6 Health &amp; Medical Services</b>	
A40104	Public Health	4,776.21
A40114	Public Health Service	17,016.51
A40164	PH - Early Intervention 0-1	131,285.17
A40174	PH - Child w/Spec Needs 3-5	561,379.23
A40184	Public Health Education	2,278.67
A40194	Wayne Community Nursing Care	25,170.30
A40204	PH - EMS Coordinator	542.85
A43004	Behavioral Health	106,260.71
A43224	Community Providers	117,994.00
E60002	NH Combined	56,646.95
E60004	NH Combined	348,094.96
		<b>1,371,445.56</b>
<b>Committee:</b>	<b>7 Human Services</b>	
A60104	Administration	57,536.78
A60704	Purchase of Services	3,595.50
A61094	Family Assistance	120.00
A61294	State Training School	60,861.44
A61404	Safety Net	1,040.00
A62114	Title V Senior Comm Service	40.88
A62124	WFD/DSS Intensive Employment	1,061.14
A62144	Economic Opportunity & Develop	573.43
A62164	WFD-DSS TEAP	40.88
A62174	WFD-DSS WAGE SUBSIDY	219.40
A62934	WIA Adult	428.25
A62944	WIA Dislocated	1,137.09
A62954	WIA Youth	893.04
A62964	TANF Summer	806.49
A62994	WFD-Administration	40.88
A65104	Veteran Services	5,243.45
A67724	Area Agency on Aging	41,694.66
A73104	Youth Bureau	20,107.45
A73114	Youth Program - Recreation	73.00
		<b>195,513.76</b>
<b>Warrant Total</b>		<b>\$ 2,871,103.00</b>
<b>During the Month Utilities</b>		<b>\$ 111,633.37</b>
<b>Miscellaneous Disbursements</b>		<b>\$ 242,152.53</b>

Mr. Plant 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 April 2009 in the amount of \$15,050.88 was received and filed

A copy of the Western Finger Lakes Solid Waste Management Authority's March 23, 2009 minutes of the Authority Meeting were received and filed.

A letter was received from the New York State Office of Parks, Recreation and Historic Preservation, regarding property located in the Palmyra Village Historic District. This property has been nominated to the National and State Registers of Historic Places worthy of preservation.

A copy of the Town of Walworth's proposed Local Law No. 5-2009 regarding an amendment to the Wind Energy Facility Law for said town was received. A Public Hearing regarding this amendment will be held by the Walworth Town Board on Thursday, May 21, 2009 at 7:45 p.m.

An e-mail was received from Andrea Novick, Esq., Election Transparency Coalition, regarding seeking support for fiscal responsibility by staying with lever voting machines.

A letter was received from Senator Mike Nozzolio to update the Board on his efforts to enact legislation which will authorize Wayne County to impose additional rates of sales and compensating use taxes.

A thank you letter was received from the Preservation League of New York State for the copy of the Cultural Resources Survey of Wayne County that was researched with funding from the 2007 Preserve New York Grant Program.

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

**BIDS:**

WC Sheriff's Department

- Vehicle Impound Yard Fencing
- Closed Circuit Television System

WC Buildings and Grounds

- Operation of a Food Concession Stand at the Sodus Point Bathhouse

WC Nursing Home

- Linen Services

Mr. Lauderdale moved, seconded by Ms. Park, that the bids be referred to the appropriate committees for review. Upon roll call, carried.

**ANNUAL REPORTS:**

WC Industrial Development Agency Financial Statements

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

**PROCLAMATIONS**

Supervisor William Hammond, Chairman of the Human Services Committee, read the following proclamations:

Elder Abuse Awareness Day in Wayne County on June 15, 2009.

One Stop Month for the Workforce Investment Board – May 2009.

Supervisor Jolene Bender, Chairperson for the Public Safety Committee read a proclamation Emergency Medical Services Week – May 17-23, 2009.

Supervisor Kim Park, Chairperson for the Health and Medical Services Committee read two Proclamations entitled:

National Nurses' Week – May 6-12, 2009

National Nursing Home Week – May 10-16, 2009

**PRIVILEGE OF THE FLOOR:**

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

James Lee, E911 Coordinator, updated the Board with a presentation of the Radio Communications Project.

Margaret Haroff, Nursing Home Administrator introduced Dr. Cheryl Morrow and Sandy Guenter, Rehabilitation Director, to give a presentation on their short term care and out-patient therapy services available at the Wayne County Nursing Home and Rehab Center.

Supervisor Plant thanked Mrs. Haroff for today's presentation and commented on the many services that are available.

Supervisor Park was very impressed and made the comment on the wonderful care and the quality of services that she received with her recent therapy sessions at the facility.

**RESOLUTION NO. 319-09: ADOPTING MORTGAGE TAX REPORT AND AUTHORIZING COUNTY TREASURER TO MAKE PAYMENT TO TOWNS AND VILLAGES**

Mr. Lyon presented the following:

WHEREAS, the Finance Committee of the Wayne County Board of Supervisors has filed a report showing the mortgage tax monies received by the Wayne County Treasurer during October 1, 2008 to March 31, 2009, and recommend payment to the Villages and Towns as apportioned in such report as follows:

<b>TOWN</b>	<b>TOWN SHARE</b>	<b>VILLAGE</b>	<b>VILLAGE SHARE</b>	<b>TOTAL</b>
Arcadia	53,096.47	Newark	22,970.33	76,066.80
Butler	7,966.15	Wolcott	522.93	8,489.08
Galen	15,462.51	Clyde	3,700.09	19,162.60
Huron	27,271.07		0.00	27,271.07
Lyons	10,618.24	Lyons	4,372.86	14,991.10
Macedon	58,708.29	Macedon	4,220.34	62,928.63
Marion	18,539.23		0.00	18,539.23
Ontario	100,412.80		0.00	100,412.80
Palmyra	28,230.10	Palmyra	6,619.08	34,849.18
Rose	11,086.65		0.00	11,086.65
Savannah	3,788.92		0.00	3,788.92
Sodus	37,054.33	Sodus	2,665.10	
		Sodus Pt.	5,920.01	45,639.44
Walworth	67,860.18		0.00	67,860.18
Williamson	57,074.63		0.00	57,074.63
Wolcott	15,171.47	Wolcott	726.17	
		Red Creek	1,856.90	17,754.54
<b>TOTAL</b>	<b>512,341.04</b>		<b>53,573.81</b>	<b>565,914.85</b>

now, therefore, be it

RESOLVED, that the Mortgage Tax Report submitted by the Finance Committee is hereby accepted, the recommendation for payments to the Villages and Towns contained in such report is hereby adopted, and the County Treasurer is hereby authorized and directed to make such payments pursuant to the report.

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

**RESOLUTION NO. 320-09: AUTHORIZING THE ADOPTION OF A WAYNE COUNTY PASSWORD POLICY**

Mr. Lyon presented the following:

WHEREAS, the County needs to have a standardized policy requiring that users of the county network change their passwords on a regular basis; now, therefore, be it

RESOLVED, that the following policy is hereby adopted by Wayne County:

**Wayne County Information Technology Password Policy**

To ensure the security and integrity of the network, each user is provided with a user account to access network resources. Each user account consists of a unique user ID and password and allows Wayne County to hold users accountable for their activities on the network. Never share your password with anyone. You are held responsible for activities associated with your account.

Under this policy, users of the Wayne County IT network will be required to change their passwords every 180 days.

In terms of password administration, the following list provides requirements for establishing and maintaining passwords:

1. Passwords shall be a minimum of 6 characters in length
2. Passwords will require a combination of characters from at least three of the following
  - a. Alpha uppercase characters (A through Z)
  - b. Alpha lowercase characters (a through z)
  - c. Digits (0 through 9)
  - d. Non-numeric, special characters(!, @, #, \$, etc)
3. The maximum age of a password is 180 days.  
Fourteen (14) days prior to expiration, you will be prompted to change a password.
4. You have 6 valid attempts to sign on to the network before your account is locked out.
5. You cannot reuse your last 10 passwords

If an employee is locked out or cannot remember their password, the employee must notify their supervisor, who will send an e-mail to [support@co.wayne.ny.us](mailto:support@co.wayne.ny.us) requesting that the password be reset with the employee's name and phone# where they can be reached.

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

**RESOLUTION NO. 321-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR LEASE AND MAINTENANCE CONTRACTS OF COPIERS FOR WAYNE COUNTY DEPARTMENTS**

Mr. Lyon presented the following:

WHEREAS, the County of Wayne entered into a four (4) year lease agreement, January 1, 2006-December 31, 2009 for copiers; and

WHEREAS, the County of Wayne is interested in continuing the leasing of its copier needs for another four (4) years, beginning January 1, 2010, under one contract; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for the leasing of all copiers for the County of Wayne; 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.

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

**RESOLUTION NO. 322-09: AUTHORIZATION TO AMEND 2009 COUNTY BUDGET FOR THE COUNTY AUDITOR DEPARTMENT**

Mr. Lyon presented the following:

WHEREAS, the 2009 County Budget established and funded a Department of County Auditor; and

WHEREAS, the position of Account Clerk funded in the Legislative Board Department will be working under the direct supervision of the County Auditor and should be funded in that Department; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to make the following amendment to the 2009 County Budget:

**A1010-LEGISLATIVE BOARD:**

\$24,500.00 from .51122 Account Clerk (7hr)  
\$ 2,450.00 from .58100 Payments to NYS Retirement System  
\$ 1,875.00 from .58200 Payments to Social Security  
\$10,829.00 from .58400 Hospitalization  
\$ 156.00 from .58600 Disability

**A1320-COUNTY AUDITOR:**

\$24,500.00 to .51122 Account Clerk (7hr)  
\$ 2,450.00 to .58100 Payments to NYS Retirement System  
\$ 1,875.00 to .58200 Payments to Social Security  
\$10,829.00 to .58400 Hospitalization  
\$ 156.00 to .58600 Disability

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

**RESOLUTION NO. 323-09: AUTHORIZING PUBLIC AUCTION SALE OF REAL PROPERTY ACQUIRED BY THE COUNTY FOR DELINQUENT TAXES**

Mr. Lyon presented the following:

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law of the State of New York pertaining to the enforcement of the collection of delinquent taxes, the County of Wayne has or will acquire title to the real property as shown on Appendix A (attached hereto and incorporated herein by reference) and is entitled to acquire title by Court Order to the properties from 2007 listed on Appendix A; and

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law, real property acquired by tax deed or Court Order may be disposed of by the County at such times and upon such terms as shall be determined by the Board of Supervisors; now, therefore, be it

RESOLVED, in accordance with Article Eleven (11) of the Real Property Tax Law;

**FIRST:** The County Treasurer is hereby authorized and directed to convey title to the County of Wayne for the properties listed on Appendix A which are not redeemed for the year 2007 as of the close of business on June 16, 2009.

**SECOND:** The County Attorney is hereby authorized and directed to take appropriate action regarding removal of property from the auction list after the filing of the Summary Judgment of the Petition of Foreclosure and up to the time of the auction.

**THIRD:** The Director of Real Property Tax Services is hereby authorized, empowered and directed to conduct a public auction sale of the properties listed on Appendix A at the County Courthouse, 26 Church Street, Lyons, New York, on June 17, 2009, commencing at 6:00 p.m.

**FOURTH:** Each parcel of property shall be offered and sold at the public auction sale subject to the following terms and conditions of sale:

**COUNTY OF WAYNE REAL PROPERTY AUCTION SALE**

Held at the Old Courthouse  
26 Church Street, Lyons, NY  
June 17, 2009 at 6:00 p.m.

**TERMS AND CONDITIONS OF SALE**

1. The property offered for sale has been acquired by the County of Wayne (hereinafter referred to as the "**County**") by Court Order pursuant to the provisions of Title 3 of Article 11 of the Real Property Tax Law of the State of New York.
2. All potential Bidders must provide acceptable photo identification for issuance of a bid number.
3. All Bidders/Buyers must register for this auction and hold a buyer's number.
4. Former owners will not be allowed to bid on their properties.
5. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom Wayne County Foreclosed and has no intent to defraud Wayne County of the unpaid taxes, assessment, penalties, and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey, the property to the former owner(s) against whom Wayne County foreclosed within 24 months subsequent to the auction date. If such conveyance occurs, the purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to Wayne County as related to the foreclosure on the property and consents to immediate judgment by Wayne County for said amounts.
6. **NO PERSON OR ORGANIZATION CAN BID ON PROPERTIES AT THE AUCTION IF THEY, OR A CORPORATION OR COMPANY THEY ARE AFFILIATED WITH, OWE PROPERTY TAXES (CURRENT YEAR OR PRIOR YEAR) TO WAYNE COUNTY. ALL TAX LIABILITIES MUST BE PAID PRIOR TO THE AUCTION IN ORDER TO BID AT THE AUCTION. Previously defaulting parties are not allowed to bid.** Failure to comply with this provision will be grounds for default and forfeiture of any deposits paid.
7. The auctioneer's decision regarding any disputes is final, and the auctioneer reserves the right to reject any bid that is not an appreciable advancement over the preceding bid.
8. The property will be conveyed by the County to the purchaser by quit-claim deed, containing a description of the property as it appeared on the tax roll for the year upon which the County acquired title or as corrected up to date of deed. The deed will be recorded by the County upon payment in full of the purchase price and closing fees/cost. **POSSESSION OF PROPERTY IS FORBIDDEN UNTIL THE DEED IS RECORDED WITH THE WAYNE COUNTY CLERK CONVEYING TITLE TO THE PURCHASER. TITLE VESTS AT THE RECORDING OF THE DEED.** It is agreed between the County and the purchaser that delivery and acceptance of the deed occurs upon recording of the deed.
9. The County will not furnish an abstract of title or an instrument survey map.
10. **The County does not make any representations or warranties, expressed or implied,** (a) concerning the quality or the condition of the title to the property, or the validity or marketability of such title; the ownership of any improvements on the property; the condition of the property and any improvements thereon or its fitness for any use; or the accuracy of the property description on the tax roll or in the notice of sale or any other advertisement of sale furnished by the County; or (b) that the property or any improvements thereon presently comply with building or zoning codes, or with any state or local laws or regulations. Any information concerning the property furnished by the County or any of its officers, employees, or agents shall not be deemed to include any such representations or warranties. Any promotional tools such as photographic slides, tax maps, written or verbal descriptions, etc. are for informational purposes only.
11. Any successful bidder, who fails to tender the deposit at the end of the auction, will be forbidden to participate in this or any other auction. Any parcels which the County of Wayne did

not receive deposits for by the end of the auction will be considered defaulted. If a purchaser fails to close on the parcel(s) that he/she bids on at the auction, he/she will be prohibited from participating at future auctions held for the County of Wayne.

12. The purchaser shall accept the property and any improvements thereon in "as is" condition with the understanding that the County makes no representation as to ownership or responsibility for any personal property located on the real property. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.

13. Evictions, if necessary, are solely the responsibility of the successful bidder after closing and recording of the deed.

14. The sale of the property is made subject to (a) village, town, state and federal claims for taxes, liens or other encumbrances, and (b) all easements or rights-of-way which were in existence at the time of the levy of the tax the non-payment of which resulted in the tax deed to the County.

15. The County will convey the property free and clear of County tax liens accrued on or before January 1, 2009.

16. The purchaser will pay all of the following taxes and charges, including all interest and penalties if applicable:

- 2009 Village Tax; current water, sewer, other special district charges, demolition charges, and any service charges levied against property by a Municipality - **INCLUDING ANY APPLICABLE INTEREST AND PENALTIES**

- Federal and/or State taxes, liens and encumbrances of record

- 2009 School Tax

- 2010 Town Tax & County Tax which may include relieved village or school taxes

- In order to avoid future delinquent charges, the new owner should immediately advise all tax collectors of the new ownership, and the address where future tax bills are to be mailed.

17. All bids are subject to approval and acceptance by the Wayne County Board of Supervisors. The County reserves the right to sell to the second highest bidder if Purchaser defaults.

18. The Board of Supervisors reserves the right to accept or reject any or all bids, or to withdraw any parcel from the sale at any time prior to delivery of the deed to the purchaser.

19. In the event that a sale is cancelled by Court Order or judgment or by the Wayne County Board of Supervisors, the successful bidder shall be entitled only to a refund of the purchase money. Purchaser shall not be entitled to special or consequential damages, or attorney fees, nor reimbursement for any expenses incurred as a result of ownership or improvements of the property, nor for taxes paid during the period of ownership.

20. The purchaser shall pay full payment immediately at "Knockdown" (when the Auctioneer says "sold") for any properties sold in the amount of \$2,000 or less.

21. Regarding any properties sold for more than \$2,000, the amount of \$2,000 plus 10% of the amount over \$2,000 must be paid immediately at "Knockdown"

22. All sales shall be final, absolute and without recourse, and in no event shall Wayne County be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, successors or assigns, against Wayne County arising from this sale.

23. Notice is hereby given that the premises being sold may lie within an Agricultural District as designated upon the tax map. It is the sole responsibility of any bidder to ascertain which specific parcel(s) is so designated and thereby sold subject to the provisions of law applicable thereto.

24. The purchaser's bid will be submitted to the Board of Supervisors on July 21, 2009. **IT SHALL BE THE PURCHASER'S RESPONSIBILITY TO CONTACT THE COUNTY REAL PROPERTY TAX SERVICE AGENCY (946-5916) ON OR AFTER JULY 22, 2009 TO DETERMINE WHETHER THE BID WAS ACCEPTED OR REJECTED BY THE BOARD OF SUPERVISORS.**

25. The purchaser must pay the balance of the purchase price (paid in cash or by certified

check, bank check or money order payable to the Wayne County Treasurer) together with the necessary recording taxes and fees (paid in cash or check payable to the Wayne County Clerk) to the County Treasurer not later than the close of business on August 18, 2009. Upon receipt of such payments, the deed will be recorded in the County Clerk's Office and mailed to the purchaser upon completion of the recording process. The purchaser may not assign his/her right to complete the sale. **ALL DEEDS SHALL BE EXECUTED SOLELY IN THE NAME OF THE BIDDER (AND SPOUSE, IF REQUESTED) AS REGISTERED AT THE AUCTION. IF THE PURCHASER FAILS TO MAKE SUCH PAYMENTS ON OR BEFORE AUGUST 18, 2009, THE SALE SHALL BE DEEMED CANCELLED, THE COUNTY SHALL NOT BE OBLIGATED TO CONVEY THE PROPERTY TO THE PURCHASER, AND THE PURCHASER'S DEPOSIT SHALL BE RETAINED BY THE COUNTY AS LIQUIDATED DAMAGES.**

26. The purchaser shall execute a Memorandum of Purchase at the time and place of the auction sale agreeing to purchase the property subject to the terms and conditions of sale prescribed by the County.

**MEMORANDUM OF PURCHASE**

I, \_\_\_\_\_, agree to purchase the property identified as T.M.  
# \_\_\_\_\_, Town of \_\_\_\_\_, subject to the terms and conditions of sale  
(Print Name)

set forth above, for the purchase price of \$ \_\_\_\_\_.

Dated: June 17, 2009 Name: \_\_\_\_\_

(Signature)

Social Security No.: \_\_\_\_\_

Telephone: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**GRANTEE DESIGNATION IN DEED:**

Name	Soc. Security #	Residence Address
Name	Soc. Security #	Residence Address

**FIFTH:** The Director of Real Property Tax Services is hereby authorized and directed to advertise the auction sale in such manner as he may deem suitable for obtaining the greatest public participation in the sale and to charge the advertising cost to Account No. A1362.4402 (Tax Advertising and Expense – Advertising).

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

**RESOLUTION NO. 324-09: AUTHORIZATION TO CONTRACT WITH AUCTIONEER SERVICES THE REAL PROPERTY TAX SERVICES DEPARTMENT**

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 Service Department of Wayne County is desirous of having auction services performed by a professional auctioning services; and

WHEREAS, the Real Property Tax Department has received the following proposals from the Auctioneer's listed below:

Dean Cummins	Dean Cummins – Auctioneer	\$1,200.00
John Reynolds	Reynolds Auction Company	\$ 500.00
Edward Haroff	Haroff Auction & Realty, Inc	Did not comply with RFP

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, as outlined in

the RFP for Auctioneering Services with John Reynolds of Reynolds Auction Company in the amount of \$500.00 (Five Hundred dollars).

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

**RESOLUTION NO. 325-09: AUTHORIZATION TO AMEND VARIOUS 2009 WORKFORCE DEVELOPMENT BUDGETS TO REFLECT CHANGES IN ALLOCATION OF COSTS**

Mr. Lyon presented the following:

WHEREAS, the review of the allocation of building space and associated costs has been reviewed and recommendation for changes made; and

WHEREAS, the Workforce Development Office is in agreement with the recommendation of allocating costs; now therefore be it

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

**A6211-TITLE V SENIOR COMM SERVICE:**

\$ 28.00 to .54210 Gas  
\$110.00 to .54220 Light & Power  
\$ 5.00 to .54240 Water  
\$185.00 to .54407 Building Maintenance & Repair  
\$297.00 from .54414 Information Technology  
\$660.00 to .54437 Lease  
\$691.00 from .58500 Unemployment Insurance

**A6212-WFD DSS INTENSIVE EMPLOYMENT:**

\$ 58.00 from .54210 Gas  
\$ 222.00 from .54220 Light & Power  
\$ 10.00 from .54240 Water  
\$ 377.00 from .54407 Building Maintenance & Repair  
\$1,320.00 from .54437 Lease

**A6216-WFD DSS TEAP:**

\$ 28.00 to .54210 Gas  
\$110.00 to .54220 Light & Power  
\$ 5.00 to .54240 Water  
\$185.00 to .54407 Building Maintenance & Repair  
\$660.00 to .54437 Lease

**A6217-WFD DSS WAGE SUBSIDY:**

\$ 144.00 to .54210 Gas  
\$ 548.00 to .54220 Light & Power  
\$ 25.00 to .54240 Water  
\$ 944.00 to .54407 Building Maintenance & Repair  
\$3,284.00 to .54437 Lease  
\$4,945.00 from .54485 Travel

**A6292-WFD APY GRANT:**

\$2,976.00 from .54199 Miscellaneous Expense  
\$ 88.00 to .54210 Gas  
\$ 332.00 to .54220 Light & Power  
\$ 16.00 to .54240 Water  
\$ 568.00 to .54407 Building Maintenance & Repair  
\$1,972.00 to .54437 Lease

**A6292-WFD APY GRANT:**

\$ 30.00 to .54210 Gas  
\$ 112.00 to .54220 Light & Power  
\$ 5.00 to .54240 Water  
\$ 192.00 to .54407 Building Maintenance & Repair

\$ 660.00 to .54437 Lease

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

**RESOLUTION NO. 326-09: AUTHORIZATION TO PURCHASE EQUIPMENT AND AMEND WORKFORCE DEVELOPMENTS 2009 COUNTY BUDGET**

Mr. Lyon presented the following:

WHEREAS, Wayne County Workforce Development has been informed they have been approved to purchase \$12,339.00 worth of computer equipment for the one-stop center utilizing 100% reimbursed Technology Funds; and

WHEREAS, said funds have been approved through the Finger Lakes Workforce Investment Board for the purchase; now, therefore, be it

RESOLVED, that the Director of Workforce Development is authorized to purchase nine(9) HP Compaq dc/900 Ultra slim CPU's; nine(9) HP 19" widescreen monitors and seven(7) HP Compaq Notebook laptops with 5 button USB Ports; and be it further

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

**A6299-WFD ADMINISTRATION**

\$12,339.00 to .44712 WFD Revenue

\$12,339.00 to .52201 Computer Equipment

Mr. Lyon moved, seconded by Mr. Lauderdale, that the resolution be amended to add additional equipment and increase the fund transfer amount as follows:

**"RESOLUTION NO. 326-09: AUTHORIZATION TO PURCHASE EQUIPMENT AND AMEND WORKFORCE DEVELOPMENTS 2009 COUNTY BUDGET**

Mr. Lyon presented the following:

WHEREAS, Wayne County Workforce Development has been informed they have been approved to purchase \$13,079.00 worth of computer equipment for the one-stop center utilizing 100% reimbursed Technology Funds; and

WHEREAS, said funds have been approved through the Finger Lakes Workforce Investment Board for the purchase; now therefore be it

RESOLVED, that the Director of Workforce Development is authorized to purchase nine(9) HP Compaq dc/900 Ultra slim CPU's; nine(9) HP 19" widescreen monitors and seven(7) HP Compaq Notebook laptops with 5 button USB Ports and two (2) black & white laser jet printers; and further

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

**A6299-WFD ADMINISTRATION:**

\$13,079.00 to .44712 WFD Revenue

\$13,079.00 to .52201 Computer Equipment."

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

Mr. Groat moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call on the amended resolution. All Supervisors voted Aye. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 327-09: CONCUR WITH COUNTY TREASURER'S RECOMMENDATION TO WITHDRAW CERTAIN PROPERTIES WITH ENVIRONMENTAL ISSUES FORM FORECLOSURE PROCESS**

Mr. Lyon presented the following:

WHEREAS, the County Treasurer has identified certain real property, a copy of which is on file with the Clerk of the Board, that have a barrier to tax enforcement; now, therefore, be it

RESOLVED, that the Board of Supervisors concur with the County Treasurer's recommendation that these real property list below be withdrawn from the foreclosure process.

Auction #	Property location	Owner	TM #
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**TOWN OF ARCADIA**

Seq # 45	1309 North Main Street	Alfred Drew	68111-10-418600
Seq # 119	1791 Welcher Road	Daniel D Pullen	68112-20-830042

**TOWN OF GALEN**

Seq # 304	48 Glasgow Street	Craig Larussa	74112-14-347354
Seq # 309	49 Glasgow Street	Sandra L Fischette	74112-14-367345

**TOWN OF LYONS**

Seq # 610	Cole Road	Stockton Land Company	71111-14-411405
Seq # 611	Cole Road	Stockton Land Company	71111-14-475388
Seq # 612	100 Cole Road	Stockton Land Company	71111-14-481422

**TOWN OF MACEDON**

Seq # 715	Quaker Road	David R. Morrison	62112-00-086345
Seq # 719	1156 Quaker Road	David R. Morrison	62112-00-239302
Seq # 720	2009 Canandaigua Road	David Morrison	62112-00-307310

**TOWN OF SODUS**

Seq# 1223	10 Maple Street	Christiana Bank & Nat'l	69117-06-288967
Seq # 1339	6263 Ridge Rd W	Edward J Winder	68117-00-664972
Seq # 1457	8423 Wagemaker Rd	Barker Chemical Co.	71115-00-365790

**TOWN OF WALWORTH**

Seq # 1512	4680 Lincoln Road	Joanne A Affronti	61115-00-848654
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Mr. Plant moved, seconded by Mr. Hammond, that the resolution be amended to remove three (3) parcels from the Towns of Galen, Sodus and Walworth, as agreed upon within the standing committee, listed as follows:

**“RESOLUTION NO. 327-09: CONCUR WITH COUNTY TREASURER'S RECOMMENDATION TO WITHDRAW CERTAIN PROPERTIES WITH ENVIRONMENTAL ISSUES FORM FORECLOSURE PROCESS”**

Mr. Lyon presented the following:

WHEREAS, the County Treasurer has identified certain real property, a copy of which is on file with the Clerk of the Board, that have a barrier to tax enforcement; now, therefore, be it

RESOLVED, that the Board of Supervisors concur with the County Treasurer's recommendation that these real property list below be withdrawn from the foreclosure process.

Auction #	Property location	Owner	TM #
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**TOWN OF ARCADIA**

Seq # 45	1309 North Main Street	Alfred Drew	68111-10-418600
Seq # 119	1791 Welcher Road	Daniel D Pullen	68112-20-830042

**TOWN OF GALEN**

Seq # 309	49 Glasgow Street	Sandra L Fischette	74112-14-367345
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**TOWN OF LYONS**

Seq # 610	Cole Road	Stockton Land Company	71111-14-411405
Seq # 611	Cole Road	Stockton Land Company	71111-14-475388
Seq # 612	100 Cole Road	Stockton Land Company	71111-14-481422

**TOWN OF MACEDON**

Seq # 715	Quaker Road	David R. Morrison	62112-00-086345
Seq # 719	1156 Quaker Road	David R. Morrison	62112-00-239302
Seq # 720	2009 Canandaigua Rd	David Morrison	62112-00-307310

**TOWN OF SODUS**

Seq # 1339	6263 Ridge Road W	Edward J Winder	68117-00-664972
Seq # 1457	8423 Wagemaker Rd	Barker Chemical Co.	71115-00-365790"

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

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

**RESOLUTION NO. 328-09: CERTIFICATION OF A HOME RULE REQUEST TO AMEND THE TAX LAW IN RELATION TO EXTENDING THE AUTHORIZATION OF THE COUNTY OF WAYNE TO IMPOSE AN ADDITIONAL SALES AND COMPENSATING USE TAX**

Mr. Lyon presented the following:

RESOLVED, pursuant to Article IX of the constitution, the County of Wayne hereby requests that the New York State Legislature enact Senate Bill (No. S.4215) (Said bill is identified in the Assembly as Assembly Bill No. A.7365) entitled "AN ACT to amend the tax law, in relation to extending the authorization of the county of Wayne to impose an additional sales and compensating use tax"; and be it further

RESOLVED, it is hereby declared that a necessity exists for the enactment of such legislation and that the fact establishing such necessity is as follows: The County does not have power to enact such legislation by local law; and be it further

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized to certify a Home Rule request to the Legislature for the enactment of said Legislation.

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

**RESOLUTION NO. 329-09: AUTHORIZING PAYMENT OF SETTLEMENT TO RG&E**

Mr. Lyon presented the following:

WHEREAS, RG&E filed a claim, dated April 29, 2009 against the County of Wayne regarding an incident that occurred on March 13, 2009 between a vehicle owned by the County of Wayne and a telephone pole owned by RG&E; and

WHEREAS, the parties are desirous of settling said claim for a total amount not to exceed Two Thousand Two Hundred Forty Six and 14/100 dollars, (\$2,246.14); now, therefore, be it

RESOLVED, that the claim between RG&E and the County of Wayne has been amicably settled between the parties and payment is hereby approved; and be it further

RESOLVED, that the Wayne the County Treasurer is hereby authorized and directed to issue a check made payable to RG&E in the amount of Two Thousand Two Hundred Forty Six and 14/100 dollars, (\$2,246.14); from Account No. A#1930 (Judgment and Claims), as directed by the Wayne County Attorney.

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

**RESOLUTION NO. 330-09: AUTHORIZATION TO SURPLUS A VEHICLE FOR THE**

**WAYNE COUNTY SHERIFF'S OFFICE**

Mrs. Bender presented the following:

WHEREAS, the following vehicle is no long of use by the Wayne County Sheriff's Office:

1997 International Bus VIN: 1HVBDAK5VHH57887 248,100 miles  
now, therefore be it

RESOLVED, that the vehicle listed above is hereby declared surplus and said vehicle is to be disposed of in accordance with the Surplus Vehicle Disposition Procedure Outlined in Resolution No. 128-09.

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

**RESOLUTION NO. 331-09: AUTHORIZATION TO PARTICIPATE IN ENVIRONMENTAL PREVENTION & LAW ENFORCEMENT PARTNERSHIP UNDERAGE DRINKING INITIATIVE WITH THE COUNCIL ON ALCOHOLISM AND ADDICTIONS OF THE FINGER LAKES**

Mrs. Bender presented the following:

WHEREAS, the Council on Alcoholism and Addictions of the Finger Lakes has been awarded a Environmental Prevention and Law Enforcement Underage Drinking Initiative for the purpose of addressing Wayne County's Underage Drinking problems; and

WHEREAS, Wayne County will receive \$10,500 for overtime and Radio Public Service Announcements for this initiative period (January 1, 2009 - May 31, 2009); now, therefore, be it

RESOLVED, that the initiative in the amount of \$10,500 is accepted for overtime funds, and be it further

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

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

Increase appropriations A31141.51904 (Overtime)	\$8,500
Increase appropriations A31144.54500 (Fees for Service)	\$2,000
Increase Revenue A31140.43370 (Traffic Safety)	\$10,500

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

**RESOLUTION NO. 332-09: AUTHORIZATION TO AWARD BID FOR VEHICLE IMPOUND YARD FENCING FOR THE WAYNE COUNTY JAIL**

Mrs. Bender presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for Vehicle Yard Impound Fencing for the Wayne County Sheriff's Department; and

WHEREAS, the following bids were received:

<b>ATLAS FENCE INC</b> 6852 MANLIUS ROAD E SYRACUSE, NY 13057	13,140.00
<b>NYS FENCE, INC</b> 858 MANITOU ROAD HILTON, NY 14468	12,980.00
<b>SECOR BUILDING SOLUTIONS</b> 13140 ROUTE 31 SAVANNAH, NY 13146	14,365.00

RESOLVED, that the bid submitted by NYS Fence, Inc. for \$12,980.00 is hereby

accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with NYS Fence, Inc at a cost not to exceed \$12,980.00.

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

**RESOLUTION NO. 333-09: AUTHORIZATION TO REQUEST GOVERNOR AND NYS POLICE TO PROVIDE ADDITIONAL STAFF ASSISTANCE IN WAYNE COUNTY**

Mrs. Bender presented the following:

Mrs. Bender presented the following:

WHEREAS, due to recent increases in calls for police services in Wayne County, our community has found itself in need of additional public safety staff resources; and

WHEREAS, Wayne County is committed to protect the lives, property and rights of all people, to maintain order and to enforce the law, and our Sheriff's Department and municipal police agencies have done their best to accomplish this mission; and

WHEREAS, indicators of crime have increased and calls for police service exceed 21,000 in 2008; and

WHEREAS, the County Sheriff's Department, and municipal police forces are not sufficient at this time to perform all the law enforcement duties needed within our County; and

WHEREAS, the combined property taxes of the county government, local governments, and school districts within Wayne County have produced one of the highest tax levels in the State making it difficult for county and local governments to add police resources; and

WHEREAS Wayne County is seeking to resolve this situation with the addition of State Troopers, who could provide the essential public safety services that would protect the well being of our residents; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby requests that Governor Paterson and New York State Police Major Koss, Troop E, dedicate additional State Troopers to Wayne County in an effort to address the calls for police service and to assist in reducing crime in our community.

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

**RESOLUTION NO. 334-09: AUTHORIZATION TO RESERVE A BOOTH AT THE WAYNE COUNTY FAIR FOR STOP DWI COORDINATOR**

Mrs. Bender presented the following:

RESOLVED, the STOP DWI Coordinator is hereby authorized reserve space at the Wayne County Fair, to share information regarding highway safety with fair attendees; and be it further

RESOLVED, that the cost of the booth is \$165 plus 4 guest passes at \$5 each for a total cost not to exceed \$185.

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

**RESOLUTION NO. 335-09: ACKNOWLEDGE TECHNICAL DECONTAMINATION AND HAZARD ASSESSMENT TEAM APPOINTMENTS**

Mrs. Bender presented the following:

WHEREAS, the Technical Decontamination and Hazard Assessment Team was established pursuant to Resolution No. 490-06; now, therefore, be it

RESOLVED, upon recommendation of the Wayne County Fire Coordinator and the Director of Emergency Management, the following individuals are hereby appointed to the Technical Decontamination and Hazard Assessment Team:

Jordan Szklany, Pultneyville

David Knataitis, Pultneyville  
Noah Knataitis, Pultneyville  
Kevin Flynn, Pultneyville

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

**RESOLUTION NO. 336-09: AUTHORIZATION TO CREATE AND FILL 911 OPERATIONS MANAGER POSITION AND SET SALARY**

Mrs. Bender presented the following:

WHEREAS, the duties and obligations associated with the administration and management of Wayne County 911 and Wayne County ALS Services, and the associated projects, have been examined; and

WHEREAS, organizational modifications for the 911 operation were considered in 2008, with such modifications to include replacing the Technology Coordinator, who left County employment in May, 2008, and who was replaced later in 2008, then splitting the Technology Coordinator's salary between 911 and the Sheriff's Office, which was done in the 2009 budget; and

WHEREAS, the third step in the 2008 reorganization proposal involved the creation of the 911 Operations Manager position, which is funded in the 2009 E911 Communications budget; now, therefore, be it

RESOLVED, that the position of 911 Operations Manager is hereby created within the E-911 Communications 2009 budget, as object code A36421.5155; and be it further

RESOLVED, that said position shall be a salaried position, based on a 40 hour work week, with the 2009 salary to be set at \$50,000, to be pro-rated based on the start date for the employee; and be it further

RESOLVED, that that E-911 Coordinator shall be authorized to fill the position of 911 Operations Manager, on a provisional basis pending Civil Service testing; and be it further

RESOLVED, that the County Treasurer is hereby authorized to make the following transfer of funds as follows:

Account No. A3642 - E911 Communications

\$37,500 from .51903 (Non-positions) to .51555 (Operations Manager)

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

Mr. Hammond addressed the Board to say that he would not be supporting this resolution.

Mrs. Bender explained that with the upcoming project, this position to fill 911 Operations Manager is needed at this time. Mr. Marquette added that he recommends that the Board go forward with this position and to expect a thorough review and the restructuring within several Emergency Services Departments in the future.

Upon roll call, all Supervisors voted Aye, except Supervisors Spickerman, Hammond, Lyon and Park who voted Nay. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 337-09: AUTHORIZATION TO ESTABLISH PROJECT ACCOUNTS FOR THE WAYNE COUNTY PUBLIC SAFETY RADIO INTEROPERABILITY PROJECT**

Mrs. Bender presented the following:

WHEREAS, Resolution No. 560-08 authorized the County of Wayne to accept a grant in which it applied for a federal funds under the Public Safety Interoperable Communications (PSIC) FY07 program, with the County's project entitled Wayne County Interoperability Project; and

WHEREAS, the County of Wayne was awarded the entire amount of its application, \$1,629,519.20 in federal funding, for the purpose of implementing the public safety radio system improvement and interoperability goals specified in the grant application; and

WHEREAS, this federal grant program is an expenditure reimbursement program, with all funds to be expended no later than September 30, 2010, and which requires a non-federal

cash or in-kind match of 20% of the total, or \$407,379.80; and

WHEREAS, the County now needs to establish the appropriate line items in the 2009 County Budget; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to establish the following project accounts and to transfer \$407,380.00 from A878 Undesignated capital Reserve as follows:

**A9950-TRANSFER TO CAPITAL FUND PROJECT:**

\$407,380.00 to .51934 Radio Interoperability Project

**H1934-RADIO INTEROPERABILITY PROJECT:**

\$1,629,519.00 to .44306 - Homeland Security Federal

\$ 407,380.00 to .45031 - Interfund Transfer

\$ 456,701.00 to .52000PAGER - Equipment & Other Cap

\$ 521,108.00 to .52000PRTBL - Equipment & Other Cap

\$ 149,100.00 to .52000XMIT - Equipment & Other Cap

\$ 590,968.00 to .52000MOBL - Equipment & Other Cap

\$ 186,897.00 to 52000OTHER - Equipment & Other Cap

\$ 132,125.00 to .52574 Consultants-Managers

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

**RESOLUTION NO. 338-09: AUTHORIZATION TO EXECUTE CONTRACT WITH NYS HOMELAND SECURITY; CREATE LINE ITEMS AND TRANSFER FUNDS FOR EMERGENCY MANAGEMENT OFFICE**

Mrs. Bender presented the following:

WHEREAS, pursuant to Res. No. 710-08, the Board of Supervisors approved to submit a grant application for State Homeland Security Program (FY08) for the Wayne County Emergency Management Office; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract with the NYS Department of Homeland for acceptance of grant funds for the FY08 State Homeland Security Program , after review by the County Attorney; and be it further

RESOLVED, that the County Treasurer is hereby authorized to create line items for Homeland Security-Equipment and amend the 2009 County Budget as follows:

**A3640 – Emergency Management**

\$ 158,500.00 to .52203-Homeland Security-Equipment

\$ 5,000.00 to .54520-Consultants

\$ 163,500.00 to .44306-Homeland Security

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

**RESOLUTION NO. 339-09: AUTHORIZATION TO OBTAIN PERMANENT AND TEMPORARY EASEMENTS FROM RUTSEN & LINDA STADERMAN, THOMAS & CRYSTAL RODER, AND GRAVES TRACKAGE CORPORATION FOR THE RIDGE ROAD CULVERT REPLACEMENT PROJECT**

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department will be performing a culvert replacement on Ridge Road in the Town of Huron (Project D51122.52619) during the 2009 season; and

WHEREAS, the new drainage system will require a temporary easement from Rutsen & Linda Staderman (Tax Map #72117-00-045054 & 72117-00-062122), Thomas & Crystal Roder (Tax Map #71117-00-994146), and Graves Trackage Corp. (Tax Map #72117-00-014182) to allow the stormwater to outlet into a nearby drainage channel; and

WHEREAS, a permanent easement is needed from Thomas & Crystal Roder (Tax Map

#71117-00-994146) to allow access to the finished pipe installation; and

WHEREAS, the easements have been prepared by the Wayne County Highway Department and the easements will be granted to the County at a no cost; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors, subject to the approval of the County Attorney is hereby authorized to execute all documents necessary to convey said easement.

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

**RESOLUTION NO. 340-09: AUTHORIZATION TO ABOLISH MAINTENANCE MECHANIC POSITION AND CREATE A MAINTENANCE WORKER POSITION FOR BUILDINGS AND GROUNDS**

Mr. LeRoy presented the following:

WHEREAS, Buildings and Grounds has an unfilled Maintenance Mechanic position; and

WHEREAS, upon review of staff placement and current staff levels and workloads we have determined that the entry level position of Maintenance Worker would work well within the Dept.; now, therefore, be it

RESOLVED, that the Buildings and Grounds Dept will reduce the number of Maintenance Mechanics by one(1) and increase the Maintenance Workers by one (1); and be it further

RESOLVED, that the position of Maintenance Worker be posted to read For placement within the Buildings and Grounds Dept. at the Downtown location; and be it further

RESOLVED, that the Superintendent of Buildings and grounds is authorized to fill said position.

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

**RESOLUTION NO. 341-09: AUTHORIZATION TO ACCEPT BID FOR OPERATION OF A FOOD CONCESSION STAND AT THE SODUS POINT BATHHOUSE, SODUS POINT PARK**

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the operation of a food concession stand at the Sodus Point Bathhouse, Sodus Point Park, and the bids were publicly opened on Thursday, April 23, 2009 at 1:45 p.m. and the following bids were received:

Bidder	Bid Amount	Bid Security	Pre-Bid Walk Through 4/17/09 at 11:00 a.m.
<b>Maureen Moss 5377 Lasher Road Wolcott, NY 14590</b>	1st yr. - \$ 700.00 2nd yr. - \$ 800.00 3rd yr. - \$ 900.00	\$100.00	✓

WHEREAS, the Superintendent of Buildings and Grounds, the Buildings and Grounds Committee and the County Attorney have reviewed the proposed bid received; now, therefore, be it

RESOLVED, that 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 Maureen Moss to operate the concession stand at the Sodus Point Park Bathhouse for the 2009 bathing season, for a fee of \$700.00 for the season. And be it further

RESOLVED, that the contract may be extended for an additional two years as per terms and conditions of the contract.

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

adopted.

**RESOLUTION NO. 342-09: AUTHORIZATION TO EXECUTE CONTRACT WITH ES SYSTEMS, INC. FOR INSPECTION AND TESTING SERVICES FOR SPRINKLER SYSTEMS IN COUNTY FACILITIES**

Mr. LeRoy presented the following:

WHEREAS, Wayne county has five facilities with sprinkler systems in them; and

WHEREAS, we are required by law to provide quarterly inspection and testing services to insure that these systems are operating properly; and

WHEREAS, two prices have been received as follows:

ES Systems, Inc. \$ 3,168.00

Davis Ulmer Sprinkler Co. Inc. \$ 3,540.00

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors, is hereby authorized to sign a one year agreement with ES Systems for the quarterly inspection of the Sprinkler Systems as indicated in their proposal dated March 5, 2009 in the amount of \$3,168.00, subject to approval of the County Attorney as to form and content.

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

**RESOLUTION NO. 343-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR JANITORIAL AND CLEANING SERVICES AT THE HALL OF JUSTICE**

Mr. LeRoy presented the following:

WHEREAS, the current contract for janitorial and cleaning services for the Hall of Justice Facility is about to expire; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for a vendor to provide Cleaning and Janitorial Services for the Hall of Justice Facility located at 56 Broad St. in Lyons, in accordance with specifications prepared by the Superintendent of Buildings and Grounds, and approved by the County Attorney as to form and content; 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 Supervisor's meeting following the bid opening.

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

**RESOLUTION NO. 344-09: AUTHORIZATION TO AMEND RESOLUTION NO. 198-09 AUTHORIZE CONTRACT WITH SIMPLEX-GRINNELL, LP FOR MAINTENANCE SERVICES FOR LIFE SAFETY EQUIPMENT**

Mr. LeRoy presented the following:

RESOLVED, that the "RESOLVED" clause of Resolution No. 198-09 is hereby amended to reflect the accurate cost for the contracted (5) five year term and will read as follows:

"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, for a term of five (5) years with a total first year cost of \$ 60,884.00, with an increase annually of 3% each subsequent year thereafter".

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

**RESOLUTION NO. 345-09: URGING THE STATE LEGISLATURE TO OPPOSE THE CLOSING OF THE BUTLER CORRECTIONAL FACILITY LOCATED IN BUTLER, NEW YORK**

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Board of Supervisors strongly opposes the

recommendation by the State Legislature to close the of Butler Correctional Facility, located in the Town of Butler, New York, as the intent of this facility, when it was established, was to have a direct and indirect impact on the State's prison population and the administration of the prison system by offering a number of program designated to prepare inmates for assignment to work release or their release into the community; and

WHEREAS, Wayne County does not believe the State has taken into consideration both the direct affect on the County of Wayne, in particular the Town of Butler and Village of Wolcott; and

WHEREAS, prison crews have worked within our communities for many years, their hard work has made a positive difference in the appearance of our downtowns, trails, highways and landscapes; and

WHEREAS, infrastructure improvement to the water and sewer system were invested in to accommodate to the operation of this facility; and

WHEREAS, Wayne County understands the financial burdens being placed on the State of New York, however truly believe the closing of this Correctional Facility will only increase State costs in unemployment benefits paid through the loss of up to 70 jobs in an area already struggling to overcome a 10 percent unemployment rate; and

WHEREAS, the County of Wayne strongly urges the State to re-examine their reasons for closing the Butler Correctional Facility within the context of a larger, rural economic picture and the negative impact this closure will have on our local economic; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors urges the State Legislature to oppose the closing of the Butler Correctional Facility in the Town of Butler, New York, and focus on strengthening, not eliminating, the local/state partnership in public safety/criminal incarceration programs; and be it further

RESOLVED, that the Wayne County Board of Supervisors shall forward copies of this Resolution to Governor Paterson, the New York State Legislature and all others deemed necessary and proper.

Mr. Spickerman addressed the Board and commented with his concerns that losing the Butler Correctional Facility will certainly impact the Town of Butler financially, as well as the entire community.

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

**RESOLUTION NO. 346-09: RESOLUTION SUPPORTING REINTRODUCTION OF FEDERAL SENATE BILL S-1722, THE FEDERAL MILK MARKETING IMPROVEMENT ACT**

Mr. Spickerman presented the following:

WHEREAS, our Nation's vast farming industry contributes to our nation's health and Prosperity every day of the year and the dairy farming industry is the backbone of Wayne County; and

WHEREAS, it is determined that dairy farmers are currently being paid about 95 cents per gallon of milk, while it costs them \$1.50 to produce that same gallon and the rising costs of production, along with the extreme drop in price per hundred weight of milk has many dairy farmers in Wayne County concerned about providing for their families now and in the future; and

WHEREAS, the United States Senators Arlen Specter and Robert P. Casey, Jr. are leading an effort to reintroduce "The Federal Milk Marketing Improvement Act of 2007 (S.1722) which is "an act to amend the Agricultural Adjustment Act to require the Secretary of Agriculture to determine the price of milk or for manufactured purposes, which shall be classified as Class II milk, by using the national average cost of production and other purposes", and

WHEREAS, this bill was designed to correct the disparity in payment versus cost and the reintroduction of this bill would mean a raise in the price per hundredweight from a current approximate price of just under \$12 to an approximate price of \$22.46; now, therefore, be it

RESOLVED, that the Wayne County Legislature supports the reintroduction of S.1722 the "Federal Milk Marketing Improvement Act of 2007" and requests our representatives in the United States Congress and Senate to pass this bill to correct the many inequities the dairy farming industry is facing in Wayne County and nation wide; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to send certified copy of this resolution to President Barack Obama, Governor David A. Paterson; Assemblyman Robert C. Oaks; NYS Senator Michael F. Nozzolio, Senator Arlen Specter, Senator Robert P. Casey, Jr., Congressman Michael Arcuri, Senator Charles Schumer, Senator Kirstin Gillibrand, New York Senator James L. Seward, State Assemblyman Marc W. Butler, New York State Commissioner of Agriculture and Markets Patrick Hooker, New York State Association of Counties and Progressive Agriculture Organization (Pro-Ag).

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

**RESOLUTION NO. 347-09: REAPPOINT MEMBER TO AGRICULTURAL DEVELOPMENT BOARD**

Mr. Spickerman presented the following:

WHEREAS; the term of office for the following member of the Agricultural Development Board expired on December 31, 2008:

Doug Mason, 3135 Old Ridge Road, Williamson, NY; now, therefore, be it

RESOLVED, that Doug Mason is hereby reappointed to the Agricultural Development Board for a term of office effective immediately and expiring on December 31, 2011.

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

**RESOLUTION NO. 348-09: AUTHORIZE RESPONSE TO SITE SELECTION CRITERIA REQUEST FROM FINGER LAKES CULTURAL AND NATURAL HISTORY MUSEUM PROJECT**

Mr. Spickerman presented the following:

WHEREAS, the Board of Trustees ("the Board") of the Finger Lakes Cultural and Natural History Museum Project is working to establish a world class educational institution to showcase the heritage of the 9,000 square mile Finger Lakes Region; and

WHEREAS, the Board is undertaking a search for a location for the Museum and has distributed copies of their site selection plan and criteria to the 14 Counties the Finger Lakes Region; and

WHEREAS, there may be sites in Wayne County that meet the site selection criteria; now, therefore, be it

RESOLVED, that the Planning Director, the Director of the Economic Development Corporation and the Tourism Director are authorized to submit sites for consideration as possible locations in Wayne County for the Finger Lakes Cultural and Natural History Museum, subject to review and approval prior to submission by the County Administrator and the County Attorney.

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

**RESOLUTION NO. 349-09: AMEND AGREEMENT FOR RECREATIONAL TRAILS PROGRAM GRANT FOR NORTHERN CORRIDOR RAIL TRAIL PROJECT**

Mr. Spickerman presented the following:

WHEREAS, Resolution 874-03 authorized the acceptance of a \$70,000 NYS Recreational Trails Program Grant and the execution of all documents related to the grant; and

WHEREAS, the Chairman executed a contract for assistance from the State ("contract")

with the NYS Office of Parks, Recreation, and Historic Preservation with a project completion date of December 31, 2005; and

WHEREAS, Resolution 499-06 authorized an amendment to the contract that extended the project completion date to December 31, 2007; and

WHEREAS, the NYS Office of Parks, Recreation and Historic Preservation has provided Wayne County with another extension to the contract with a new project completion date of December 31, 2009; now, therefore, be it

RESOLVED, that the Chairman is authorized and directed to execute an extension to the contract with a new project completion date of December 31, 2009, subject to approval as to form and content by the County Attorney; and be it further

RESOLVED, that all other provisions of the contract shall remain in full force and effect.

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

**RESOLUTION NO. 350-09: REAPPOINTMENT TO WAYNE COUNTY PLANNING BOARD**

Mr. Spickerman presented the following:

WHEREAS, the terms of office of the following members of the Wayne County Planning Board will expire on April 30, 2009:

Ronald Thorn, 156 Desmond Road, Clyde, NY 14433

Larry Lockwood, 8979 York Settlement Road, North Rose, NY 14516

Stephen Buisch, 19 Lawrence Street, Lyons, NY 14489

Monica Deyo, 4364 Dormedy Hill Road, Marion, NY 14505

Kenneth VandeWalle, 7026 Tuckahoe Road, Williamson, NY 14589; now, therefore, be it

RESOLVED, that the above members are hereby reappointed to a three year term of office effective immediately and expiring April 30, 2012.

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

**RESOLUTION NO. 351-09: AUTHORIZATION TO PURCHASE IMAGECAST VOTING MACHINES FOR THE WAYNE COUNTY BOARD OF ELECTIONS**

Mrs. Collier presented the following:

WHEREAS, the Federal government has passed HAVA legislation that requires the replacement of the lever voting machines; and

WHEREAS, there is a maximum number of voters that can be assigned to a voting machine; and

WHEREAS, the Wayne County Board of Elections has established the maximum number of voters per voting machine at 1,500 voters; now, therefore, be it

RESOLVED, that the Board of Elections is authorized to purchase an additional (8) eight ImageCast voting machines from Sequoia at \$8,200.00 per unit at a total cost of \$65,600 with a 5% co-pay of \$3,280 by Wayne County.

A1450-BOARD OF ELECTIONS

\$3,280.00 to .52500 (Election Expense)

Mr. Spickerman commented to say that he will not be supporting this resolution for the purchase of this image voting machines as he questions the reason for these proposed equipment changes and the costs associated with this unnecessary upgrade.

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

**RESOLUTION NO. 352-09: AUTHORIZATION TO PURCHASE PRIVACY BOOTHS FOR THE WAYNE COUNTY BOARD OF ELECTIONS**

Mrs. Collier presented the following:

WHEREAS, the new ImageCast voting machine will require the use of a paper ballot to be marked by the voter; and

WHEREAS, to insure the privacy of the voter in marking their ballot; and

WHEREAS, the State Board of Elections has determined that a privacy booth should be provided for every 250 voters; now, therefore, be it

RESOLVED, that the Board of Elections is authorized to purchase 100 double voting booths based on the number of assigned voters for each polling site from Sequoia/Election Source at \$189.00 per unit at a total cost of \$18,900.00 with a co-pay of \$945.00 by Wayne County.

**A1450-BOARD OF ELECTIONS**

\$945.00 to .52500 Election Expense

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

**RESOLUTION NO. 353-09: AUTHORIZATION TO DESIGNATE JAMES MARQUETTE, COUNTY ADMINISTRATOR, AS FREEDOM OF INFORMATION LAW APPEAL REVIEW OFFICER**

Mrs. Collier presented the following:

WHEREAS, the County is required to have an appeal process for Freedom of Information Law (FOIL) requests that are denied; and

WHEREAS, Daniel M. Wyner, County Attorney, has been acting as Freedom of Information Appeals Officer; and

WHEREAS, it has been determined that for administrative purposes it would be more efficient for James Marquette, County Administrator, to assume the duties of FOIL Appeals Officer; now, therefore, be it

RESOLVED, that James Marquette, County Administrator, is hereby designated as the FOIL Appeals Officer.

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

**RESOLUTION NO. 354-09: AUTHORIZATION TO TRANSFER FUNDS WITHIN THE CURRENT HUMAN RESOURCES BUDGET**

Mrs. Collier presented the following:

WHEREAS, the 2009 budget for Wayne County Department of Human Resources was established prior to the current Director starting employment with the County; and

WHEREAS, certain current budget accounts do not accurately reflect anticipated and planned travel and training expenditures for FY 2009; and

WHEREAS, the current budget total is sufficient to fund these travel and training opportunities, therefore be it

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

**A1430-HUMAN RESOURCES:**

\$400.00 to .54485 (Travel)

\$400.00 from .54600 (Miscellaneous)

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

**RESOLUTION NO. 355-09: 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, 2010 to provide Early Intervention Medical Care Management and Transitional Progressive Return to Work Program for Wayne County employees who are off work due to non-work-related causes; 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, 2010 (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 for non-worker's compensation cases, at a cost not to exceed thirty thousand dollars and 00/100 (\$30,000.00) each year.

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

**RESOLUTION NO. 356-09: AUTHORIZATION TO APPOINT THE COUNTY DIRECTOR OF PUBLIC HEALTH AND ESTABLISH THE SALARY FOR THE POSITION**

Ms. Park presented the following:

WHEREAS, the position of the Wayne County Director of Public Health has been filled on an Interim basis; and

WHEREAS, the County has recruited for the position, and has conducted the appropriate civil service examination for the title; and

WHEREAS, the Selection Committee of the Wayne County Board of Supervisors has interviewed the applicants who are reachable for appointment from the current Civil Service list and recommends Diane Devlin to fill the position of County Director of Public Health; and

Whereas, the New York State Commissioner of Health has notified the County Administrator by letter dated April 22, 2009 that Ms. Devlin is eligible to be appointed to the position on a conditional basis; and

WHEREAS, the Board adopted Resolution 633-08 authorizing an annual salary of up to \$72,341 for the position of Director of Public Health; now, therefore, be it

RESOLVED, that Diane Devlin is hereby appointed as Director of Public Health effective May 20, 2009, at an annual salary of \$70,000; and be it further

RESOLVED, that such appointment is subject to a probationary term of thirteen (13) weeks in accordance with Wayne County Civil Service rules; and be it further

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

**A4010-PUBLIC HEALTH:**

\$5,693.00 to .51477 Director of Public Health  
\$ 627.00 to .58100 Payments to NYS Retirement System  
\$ 436.00 to .58200 Payments to Social Security  
\$2,427.00 to .43401 Public Health

**A4011-PUBLIC HEALTH SERVICE:**

\$4,329.00 from .51302 Public Health Nurse

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

**RESOLUTION NO. 357-09: AUTHORIZATION TO PAY NON-SALARIED EMPLOYEE PROMOTED TO DEPARTMENT HEAD POSITION FOR COMPENSATORY TIME EARNED AS A NON-SALARIED EMPLOYEE**

Ms. Park presented the following:

WHEREAS, Diane Devlin has been appointed to the position of Public Health Director for Wayne County; and

WHEREAS, Ms. Devlin has previously held a position within the Health Department in a non-salaried, bargaining unit position and accumulated 19.5 hours of compensatory time; and

WHEREAS, it is the recommendation of the County Administrator that this earned time be paid to the employee at this time, since Department Head positions are not entitled to earn or use Compensatory Time; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the payment of \$551.22 to Diane Devlin for 19.5 hours of Compensatory Time earned prior to her promotion to the Director of Public Health position; and be it further

RESOLVED, that the Compensatory Time accumulation for this individual be changed to zero; and be it further

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

A1990-CONTINGENT FUND GEN:

\$314.00 from .54000 Contractual Expense

A4010-PUBLIC HEALTH:

\$330.64 to .43401 Public Health

\$551.22 to .51477 Director of Public Health

\$ 51.26 to .58100 Payments to NYS Retirement

\$ 42.16 to .58200 Payments to Social Security

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

**RESOLUTION NO. 358-09: TO AMEND CANCER SCREENING PARTNERSHIP SERVICE PROVIDER CONTRACT WITH ROCHESTER GENERAL HOSPITAL (RES. #113-09)**

Ms. Park presented the following:

WHEREAS, we would like to add radiology services and use of Operating Room and services to their original contract, and

WHEREAS, Rochester General Hospital is willing to provide such services 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 an amendment contract, subject to the County Attorney's approval as to form and content, with Rochester General Hospital on behalf of Wayne County Public Health, subject to the provider being in compliance with the County's insurance for the contract period 5/1/09 – 3/31/2010, at the most recent Medicare Regions rates approved by the NYS Department of Health.

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

**RESOLUTION NO. 359-09: AUTHORIZATION TO ABOLISH A CLERK/TYPIST POSITION AND CREATE A RECEPTIONIST POSITION AT WAYNE COUNTY PUBLIC HEALTH**

Ms. Park presented the following:

WHEREAS, the current scheduling needs of the dental clinic at Wayne County Public Health have created increased receptionist duties; and

WHEREAS, the current clerk/typist at Wayne County Public Health is performing receptionist duties more so than the employees current title of clerk/typist; and

WHEREAS, the clerk/typist and receptionist titles are currently at the same civil service grade 8; now, therefore, be it

RESOLVED, the Director of Public Health is authorized to create a receptionist position and abolish a clerk/typist position effective May 29, 2009.

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

**RESOLUTION NO. 360-09: AUTHORIZATION FOR PUBLIC HEALTH TO RENT BOOTH SPACE AT THE 2009 WAYNE COUNTY FAIR**

Ms. Park presented the following:

WHEREAS, Public Health has budgeted for the cost of space at the 2009 Wayne County Fair, August 10-15; and

WHEREAS, Public Health disseminates information regarding relevant health issues

affecting Wayne County residents such as; tobacco prevention, injury prevention, lead poisoning prevention, immunization, cancer prevention and other health related issues; and

WHEREAS information is included that would assist residents in securing appropriate services in order to live safer, healthier lives; now, therefore, be it

RESOLVED, that Wayne County Public Health is hereby authorized to rent 1 double size booth at a cost not to exceed \$340.00.

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

**RESOLUTION NO. 361-09: AUTHORIZATION TO DECLARE VEHICLES AS SURPLUS FOR WAYNE COUNTY PUBLIC HEALTH**

Ms. Park presented the following:

WHEREAS, the Wayne County Public Health Department vehicle # 89-29, which is a 1998 Blue Chevy Cavalier, VIN # 1G1JC5245W7277616, and vehicle #89-73, which is a 1998 Purple Chevy Cavalier, VIN # 1G1JC5244W7277123, and vehicle #89-72, which is a 2000 Green Chevy Cavalier, VIN # 1G1JC5247Y7391183, are in need of being classified as surplus; and

WHEREAS, the county garage has evaluated the vehicles for serviceability and they were deemed unserviceable; now, therefore, be it

RESOLVED, that the vehicles listed above are hereby declared surplus and said vehicles are to be disposed of in accordance with the Surplus Vehicle Disposition Procedure Outlined in Resolution No. 128-09.

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

**RESOLUTION NO. 362-09: AUTHORIZATION TO RENT BILLBOARD SPACE FROM LAMAR ADVERTISING FOR CHILD PASSENGER SAFETY WEEK AND THE ANNUAL SEAT CHECK EVENT**

Ms. Park presented the following:

WHEREAS, there is money budgeted for the rental of space for the advertising of educational messages regarding child passenger safety; and

WHEREAS, the costs include rental of 3 billboard spaces for a minimum of 30 days at \$600 each and poster production charges of \$150 each; now, therefore, be it

RESOLVED that the Director of Public Health is hereby authorized to purchase billboard space and posters for 3 billboards for a minimum of 30 days at a cost of \$600.00 each and poster production charges of \$150 each for a total cost not to exceed \$2,250.00 from line item A40184. 54584.

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

**RESOLUTION NO. 363-09: AUTHORIZATION TO CONTRACT AUDITING SERVICES WITH MCBEE ASSOCIATES INC. FOR THE PUBLIC HEALTH DEPARTMENT**

Ms. Park presented the following:

WHEREAS, the 2008 Medicare Prospective Payment System (PPS) for home health agencies implemented changes in the assessment, coding and billing of patient services; and

WHEREAS, the reimbursement of Medicare services is reliant on the clinical assessment/coding of such patients; and

WHEREAS, McBee Associates has access to and the knowledge of Horizon systems in NYS and can provide assistance to agencies in maximizing reimbursement; and

WHEREAS this service could assist the clinical staff with the understanding and streamlining the coding/assessment process; and

WHEREAS, the Director of Wayne County Public Health Department is requesting to purchase such service at a cost of 27.3% of recovered 2008 monies; now, therefore, be it

RESOLVED, that the Public Health Director is hereby authorized and directed to purchase

such service and execute an agreement with McBee Associates to provide PPS recovery services for 2008 claims at 27.3% of recouped funds.

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

**RESOLUTION NO. 364-09: AUTHORIZATION TO CONTRACT WITH A NEW MEDICAL DIRECTOR AT WAYNE COUNTY PUBLIC HEALTH**

Ms. Park presented the following:

WHEREAS, the current Medical Director, Dr. Frank Edwards, has requested to step down; and

WHEREAS, a replacement has been found, Dr. Robert Bierbaum, who is willing to contract with WCPH to provide Medical Director services; and

WHEREAS, the County Administer is required to send a letter to Commissioner Daines requesting permission to appoint Dr. Bierbaum as the WCPH Medical Director; now, therefore, be it

RESOLVED, the County Administer is authorized to send a letter to Commissioner Daines to request permission to appoint Dr. Robert Bierbaum as the WCPH Medical Director; now therefore, be it further

RESOLVED, once permission has been received from Commissioner Daines, the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with Dr. Robert Bierbaum to provide Medical Director Services for WCPH, subject to the County Attorney's approval as to content and form, not to exceed \$10,500.

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

**RESOLUTION NO. 365-09: AUTHORIZATION TO AMEND RESOLUTION NO. 113-09 TO EXECUTE CONTRACTS WITH TWO NEW SERVICE PROVIDERS FOR CANCER SCREENING PARTNERSHIP GRANT**

Ms. Park presented the following:

WHEREAS, the county must contract for the provision of services (clinical breast exam, pelvic exam, pap smear, 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; and

WHEREAS, two new providers are now wishing to contract with the Cancer Screening Partnership; 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 contract period 4/1/09 to 3/31/2010, providers are willing to provide such service at the most recent Medicare Regions rates approved by the NYS Department of Health.

Highland Breast Imaging Center  
500 Red Creek Drive  
Rochester, NY 14623

Department of Pathology and Laboratory Medicine  
601 Elmwood Ave, Box 608  
Rochester, NY 14642

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

**RESOLUTION NO. 366-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR TRANSPORTATION OF PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS**

Ms. Park presented the following:

WHEREAS, the County must supply transportation of preschool children with handicapping conditions pursuant to Section 4410 of the Education Law and NYS DOH regulations for Early Intervention; and

WHEREAS, the County must advertise to receive bids for the transportation of preschool age children during the period 9/1/2009 to 8/31/2010; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise for bids for transportation of preschool age children during the period 9/1/2009 to 8/31/2010, in accordance with the specifications approved by the County Attorney, and that the Clerk is hereby authorized and directed to publicly open bids at the time specified in the advertisement for the bidders, and then present a record of the bids received at the next meeting of the Board of Supervisors following the bid opening.

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

**RESOLUTION NO. 367-09: AUTHORIZATION TO CONTRACT WITH WAYNE FINGER LAKES BOCES FOR TRANSPORTATION**

Ms. Park presented the following:

WHEREAS, the County is required to provide for transportation for children in the Early Intervention and the Pre-K programs to the Wayne County Chapter of NYS ARC facility located in the village of Newark and satellite programs located in the Williamson Elementary School, N-Rose Wolcott Elementary School and to include the Stepping Stones Learning Center at the Ontario Elementary School at Wayne Central School for the 09-10 school year; and

WHEREAS, the transportation rate will be \$33.00 per child per day; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with WFL BOCES, subject to the approval of the County Attorney as to content and form, for the period 7/1/09 to 6/30/2010, not to exceed \$1,224,210.

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

**RESOLUTION NO. 368-09: AUTHORIZATION TO SUBMIT BUDGET AND WORK PLAN AND EXECUTE 2009 – 2010 IMMUNIZATION ACTION PLAN CONTRACT**

Ms. Park presented the following:

WHEREAS, Wayne County Public Health has a contract with the NYSDOH Immunization Action Plan (IAP) program for \$46,745, and

WHEREAS, this allows Wayne County Public Health to administer a county immunization program, to gather immunization level statistics, to provide education and outreach, to provide physician education, to provide adult immunizations, to increase awareness of benefits of immunizations to migrant and seasonal farm workers, to provide for free Hepatitis A and B vaccination and to reduce Perinatal Hepatitis B transmission through education and intervention; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute the IAP contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, for the period 4/1/09 – 3/31/10, in the amount of \$46,745.

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

**RESOLUTION NO. 369-09: AUTHORIZATION TO SUBMIT BUDGET AND WORKPLAN AND EXECUTE CHILDHOOD LEAD POISONING PREVENTION PROGRAM CONTRACT**

Ms. Park presented the following:

WHEREAS, Wayne County Public Health currently has a contract with NYSDOH for the

Childhood Lead Poisoning Prevention Program (CLPPP); and

WHEREAS, Wayne County wishes to renew this agreement; and

WHEREAS, and operating budget, work plan, and funding request must be submitted to NYSDOH to secure funding in the amount of \$28,478 for the CLPPP for 4/1/09 – 3/31/10; now, therefore, be it

RESOLVED, that the Public Health Director is hereby authorized and directed to submit a budget and work plan to NYSDOH; and be it further

RESOLVED, that the Chairman of Wayne County Board of Supervisors is hereby authorized and directed to execute a contract for the CLPPP on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, for \$28,478 for the period 4/1/09 – 3/31/10.

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

**RESOLUTION NO. 370-09: AUTHORIZATION TO SUBMIT BUDGET AND WORKPLAN AND EXECUTE MIGRANT AND SEASONAL FARM WORKER HEALTH PROGRAM CONTRACT**

Ms. Park presented the following:

WHEREAS, Wayne County Public Health currently has a contract with NYSDOH to provide services to migrant and seasonal farm workers; and

WHEREAS, Wayne County Public Health wishes to renew that agreement; and

WHEREAS, an operating budget, work plan, and funding request must be submitted to NYSDOH to secure funding in the amount of \$43,785 for the Migrant and Seasonal Farm worker Health Program; now, therefore be it

RESOLVED, that the Public Health Director is hereby authorized to submit a budget and work plan to NYSDOH; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract for the Migrant and Seasonal Farm worker Health Program on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, for \$43,785 for the period 4/1/09 – 3/31/10.

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

**RESOLUTION NO. 371-09: AUTHORIZATION TO RESCIND RESOLUTION NO. 264-09 AND REQUEST TO AMEND PRE-K TRANSPORTATION CONTRACT WITH WAYNE-FINGER LAKES BOCES**

Ms. Park presented the following:

WHEREAS, Resolution No. 264-09 must be rescinded due to incorrect wording and cost amounts, and

WHEREAS, the county is required to provide transportation for children in the Pre-K program and currently has a contract with the Wayne-Finger Lakes BOCES to provide transportation; and

WHEREAS, the Sodus Central School has a new child attending the Roosevelt Pre-K Program at the Williamson Elementary School requiring the addition of a new bus run; and

WHEREAS, the student will be transported Monday through Friday for a.m. session only from Sodus to the Roosevelt Children's Center in Williamson; and

WHEREAS, due to establishing this new bus route for one child will result in a modification cost of \$66 per day starting March 4, 2009 through the end of the contract on June 30, 2009; now, therefore, be it

RESOLVED, that Resolution #264-09 be rescinded because it is incorrect as written; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute an amendment to the contract with the Wayne-Finger Lakes BOCES for a total cost not to exceed \$4950 for the period 3/4/09 – 6/30/09, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 372-09: AUTHORIZATION TO PURCHASE FAX MACHINE FOR WAYNE COMMUNITY NURSING CARE AND TO AMEND THE 2009 BUDGET**

Ms. Park presented the following:

WHEREAS, the current fax machine used by Wayne Community Nursing Care, CHHA, is not functioning properly; and

WHEREAS, the cost of repairs would be almost equivalent to the cost of purchasing a new fax machine; and

WHEREAS, Wayne Community Nursing Care uses the fax machine several times per day to receive referrals from providers; now; therefore, be it

RESOLVED, the Director of Public Health is hereby authorized to purchase a new fax machine from the NYS BID list, the cost not to exceed \$391.80 and the Treasurer is hereby authorized to transfer funds in the 2009 budget as follows:

Account No. A40192 – Wayne Community Nursing Care  
\$392 from .52300 (Motor Vehicles) to .52200 (Office Equipment)

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

**RESOLUTION NO. 373-09: AUTHORIZATION FOR WAYNE BEHAVIORAL HEALTH NETWORK TO EXECUTE CONTRACT OPTION TO PAY PERMANENT RECRUITMENT & REASSIGNMENT FEE TO STAFF CARE, INC. FOR CHILDREN'S PSYCHIATRIST**

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) currently has a contract with Staff Care, Inc. to provide locums tenens staffing for a children's specialty psychiatrist; and

WHEREAS, the psychiatrist assigned to WBHN (Dr. Raja) has provided excellent services and both parties would mutually like to continue with a more permanent employment relationship; and

WHEREAS, exercising our option to pay the permanent recruitment fee to Staff Care, Inc. will provide for substantial savings over time by reducing our costs associated with the hourly rate we currently pay for these services; and

WHEREAS, the Director of WBHN has been able to renegotiate a savings for this one-time fee from the original fee detailed in our current contract of \$35,000 down to \$25,000; and

WHEREAS, this fee will be fully recovered by savings of \$1,000 per week within 25 weeks (the difference from our internal hourly rate paid (\$130 per hour/40 hours) versus the hourly rate paid to Staff Care (\$155 per hour/40 hours); now, therefore, be it

RESOLVED, that the Chairman of the Board is authorized, pending review and approval of the County Attorney as to form and content, to sign a contract on behalf of WBHN which agrees to the terms to pay the \$25,000 recruitment fee (for Dr. Raja – Psychiatrist) to Staff Care, Inc.

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

**RESOLUTION NO. 374-09: AUTHORIZATION FOR WAYNE BEHAVIORAL HEALTH NETWORK TO CONTRACT WITH IVANS, INC. TO PROVIDE SOFTWARE APPLICATION SERVICES FOR MEDICARE BILLING**

Ms. Park presented the following:

WHEREAS, the Centers for Medicare and Medicaid Services (CMS) are making changes to their billing systems which requires Medicare providers to use a compatible software application in order to submit remittances to CMS; and

WHEREAS, one of the compatible software applications available is the Ivans Lime Solutions application; and

WHEREAS, Wayne Behavioral Health Network (WBHN) has selected this product as it

meets the needs of the agency, and also the Wayne County IT Department is already familiar with and supports this application as another County department currently utilizes this product; and

WHEREAS, a service agreement is necessary between WBHN and Ivans, Inc., which among other items, includes details for a monthly user charge of \$40.00, a monthly direct bill fee per invoice of \$11.50, and a one-time charge set-up fee per invoice of \$50.00; now, therefore, be it

RESOLVED, that the Chairman of the Board, pending review and approval of the County Attorney as to form and content, is authorized on behalf of WBHN to enter into a contract service agreement with Ivans, Inc.

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

**RESOLUTION NO. 375-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO EXECUTE CONTRACT WITH RAQUIB RAJA, MD TO PROVIDE PSYCHIATRIC MEDICAL SERVICES**

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) continues to remain in essential need of additional children's psychiatric medical staff services in order to provide and maintain adequate medical treatment to patients; and

WHEREAS, the maintenance of adequate adult psychiatric medical services within WBHN is dependent upon the availability of contracted psychiatric services; and

WHEREAS, Wayne Behavioral Health Network is in need of additional essential psychiatric medical staff services for our children's services in our mental health clinic services; and

WHEREAS, Dr. Raja is a NYS Licensed Psychiatrist and also a Board Certified Children's Specialist in Psychiatry; 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 Raquib Raja, MD, NYS Licensed Psychiatrist, at the rate of \$130.00/hour for the period of June 1, 2009 thru Dec. 31, 2009, at a total cost not to exceed budgeted funds for said contractual services.

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

**RESOLUTION NO. 376-09: AUTHORIZATION TO SOLICIT REQUESTS FOR PROPOSALS FOR AUDITING SERVICES FOR THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, the contract between The Bonadio Group for Auditing Services and the Wayne County Nursing Home will expire on December 31, 2009; and

WHEREAS, the Wayne County Nursing Home has to solicit requests proposals for the provision of annual auditing services for years 2009, 2010, and 2011 and certification of the RHCF-4 for the years 2009, 2010, and 2011; now, therefore, be it

RESOLVED, that the Nursing Home Administrator is hereby authorized and directed to solicit requests for proposals for auditing services in accordance with specifications prepared by the Nursing Home Administrator, and approved by the County Attorney as to content and form.

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

**RESOLUTION NO. 377-09: AWARDED CONTRACT FOR LINEN SERVICES AT THE WAYNE COUNTY NURSING HOME & REJECT BIDS**

Ms. Park presented the following:

WHEREAS, in accordance with Section 162 of NYS Finance Law the New York State Industries for the Disabled requested Preferred Source Status for furnishing Linen Services to the Wayne County Nursing Home; and

WHEREAS, the Board of Supervisors received for bids for linen services for the Wayne County Nursing Home in accordance with the provisions of Section 103 of the General Municipal Law; and

WHEREAS, the submission by New York State Industries for the Disabled (NYSID) and the low bid submitted are the same; and

WHEREAS, NYSID is the Preferred Source for furnishing linen services; now, therefore, be it

RESOLVED; that the bids submitted are hereby rejected; and be it further

RESOLVED, that the proposal from NYSID is accepted and the contract for linen services for the Wayne County Nursing Home is hereby awarded to NYSID for the period 6/1/09 – 5/31/11 with option to renew for two additional years; and be it further

RESOLVED, that the Chairman of the Board is hereby authorized to execute the contract on behalf of the Wayne County Nursing Home; subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 378-09: AUTHORIZATION TO CREATE A DRAW ACCOUNT WITH L-1 IDENTITY SOLUTIONS FOR FINGERPRINTING SERVICES FOR THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, all non-licensed employees providing direct care to nursing home residents must undergo a criminal history record check; and

WHEREAS, the New York State Department of Health Criminal History Record Check has partnered with L-1 Identity Solutions for the purposes of taking electronic fingerprints of prospective employees effective June 1, 2009; and

WHEREAS, L-1 Identity Solutions requires an electronic payment on the day of the fingerprints are scanned; and

WHEREAS, the total cost is \$105.75 (per prospective employee) comprising of \$11.50 administrative fee plus the standard for DCJS/FBI fee of \$94.25; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home is authorized to set up an Draw account in the amount of \$1,000 with L-1 Enrollment Services.

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

**RESOLUTION NO. 379-09: CONTRACT WITH CATHOLIC CHARITIES FOR EARLY/CRISIS INTERVENTION SERVICES IN THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Hammond presented the following:

WHEREAS, one of the largest expenses in the Wayne County Department of Social Services budget is for the placement of children outside their own homes; and

WHEREAS, the earlier these children and families can be identified and provided services, the less likely it is that such placement occurs; and

WHEREAS, schools and pre-schools can identify these children/families at a 90%+ accuracy rate; and

WHEREAS, Catholic Charities has an effective track record compiled in identifying and providing services to such youth/families; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract on behalf of the Wayne County Department of Social Services, subject to the County Attorney's review as to form and content, with Catholic

Charities of the Diocese of Rochester d/b/a Catholic Charities of Wayne County for the provision of Early/Crisis Intervention Services to TANF eligible families during the 7/1/09-6/30/10 timeframe at a cost not to exceed \$56,000.

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

**RESOLUTION NO. 380-09: AUTHORIZATION TO EXECUTE AGREEMENT WITH WAYNE COUNTY WORKFORCE DEVELOPMENT FOR THE PROVISION OF A SUMMER YOUTH EMPLOYMENT PROGRAM WITH WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Hammond presented the following:

WHEREAS, monies have been made available to Wayne County Department of Social Services (DSS) to support a summer youth employment program in Wayne County; and

WHEREAS, Workforce Development has a successful track record of providing summer youth employment programming including this past summer; and

WHEREAS, Workforce Development has both the capability and the interest in providing summer youth employment programming during the summer 2008 timeframe; therefore be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to execute an agreement with Wayne County Workforce Development for the provision of a summer youth employment program at an amount not to exceed \$128,644 for the timeframe 5/1/09-9/30/09, subject to the review and approval of the County Attorney.

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

**RESOLUTION NO. 381-09: CONTRACT WITH ARC FOR THE PROVISION OF INTENSIVE CASE MANAGEMENT FOR THE WORKING IMPAIRED**

Mr. Hammond presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) needs to meet Federal Participation Rates or be subject to potential fiscal penalties, and

WHEREAS, an increasing number of Public Assistance (PA) clients have one or more working impairments, and

WHEREAS, the Wayne County Association of Retarded Citizens (ARC) has been effective in the past at working with this population, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a contract with Wayne ARC to provide Intensive Case Management for the Working Impaired for the timeframe 6/1/09-6/30/10 at a cost not to exceed \$64,415 and subject to review by the County Attorney as to form and content.

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

**RESOLUTION NO. 382-09: AUTHORIZATION TO EXECUTE CONTRACT FOR WAGE SUBSIDY PROGRAM WITH WAYNE COUNTY OFFICE OF WORKFORCE DEVELOPMENT**

Mr. Hammond presented the following:

WHEREAS, New York State has been notified that it needs to meet Federal Participation Rates; and

WHEREAS, New York State has notified counties that they may face fiscal penalties if the Federal Participation Rates are not met; and

WHEREAS, Wayne DSS is desirous of implementing that which is within its power to raise its participation rates if possible; and

WHEREAS, Monies are available through the Flexible Fund for Wage Subsidies which would allow for placements and/or training of folks which will raise participation rates; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into an agreement between the Department of Social Services and the Wayne County Office of Workforce Development for a Wage Subsidy Program in an amount

not to exceed \$100,000, subject to the review of the County Attorney, for the timeframe 7/1/09-6/30/10.

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

**RESOLUTION NO. 383-09: AUTHORIZATION TO EXECUTE CONTRACT FOR WAGE SUBSIDY PROGRAM WITH WAYNE ASSOCIATION FOR RETARDED CITIZENS**

Mr. Hammond presented the following:

WHEREAS, New York State has been notified that it needs to meet Federal Participation Rates; and

WHEREAS, New York State has notified counties that they may face fiscal penalties if the Federal Participation Rates are not met; and

WHEREAS, Wayne DSS is desirous of implementing that which is within its power to raise its participation rates if possible; and

WHEREAS, Monies are available through the Flexible Fund for Wage Subsidies which would allow for placements and/or training of folks which will raise participation rates; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into an agreement with Wayne ARC for a Wage Subsidy Program in an amount not to exceed \$100,000, subject to the review of the County Attorney, for the timeframe 7/1/09-6/30/10.

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

**RESOLUTION NO. 384-09: AUTHORIZE CONTRACT WITH VICTIM RESOURCE CENTER OF THE FINGER LAKES, INC. FOR DOMESTIC VIOLENCE SERVICES**

Mr. Hammond presented the following:

WHEREAS, Services for victims of Domestic Violence and their families/children are an important component of reducing child abuse; and

WHEREAS, Victim Resource Center has worked in collaboration with Wayne DSS and Wayne CAP to provide services which ameliorate the effects of family violence; and

WHEREAS, this partnership has been effective as implemented; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute a contract on behalf of the County of Wayne and the Wayne County Department of Social Services, subject to the County Attorney's review as to form and content, with the Victim Resource Center of the Finger Lakes, Inc. for Domestic Violence Services at a cost not to exceed \$21,250 for the time frame 7/1/09-6/30/10.

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

**RESOLUTION NO. 385-09: AUTHORIZE CONTRACT WITH WAYNE COUNTY ACTION PROGRAM FOR FAMILY VIOLENCE PARENT EDUCATION SERVICES**

Mr. Hammond presented the following:

WHEREAS, services for families with violence issues are an important component in reducing child abuse; and

WHEREAS, the Wayne County Action program has worked in collaboration with Wayne DSS and the Victim Resource Center to provide services which ameliorate the effects of family violence; and

WHEREAS, this partnership has been effective as implemented; therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute a contract on behalf of the County of Wayne and the Wayne County Department of Social Services, subject to the County Attorney's review as to form and content, with the Wayne County Action Program for Family Violence Parent Education Services to a cost not to exceed \$18,000 for the time frame 7/1/09-6/30/10; and be it further

RESOLVED, that this contract is funded 100% with federal monies through the TANF flexible fund.

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

**RESOLUTION NO. 386-09: AUTHORIZE CONTRACT WITH WAYNE COUNTY ASSOCIATION OF RETARDED CITIZENS FOR CHILD ONLY SERVICES**

Mr. Hammond presented the following:

WHEREAS, it is a high priority to break the cycle of poverty and dependence on government cash subsidies, and

WHEREAS, this program has been successful at moving children/youth into employment and military service; and

WHEREAS, this service has been recognized Statewide for its accomplishments; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a contract with Wayne ARC, subject to the County Attorney's review, for Child-Only case services in an amount not to exceed \$75,000 for the time frame 7/1/09-6/30/10; and be it further

RESOLVED, that this contract is funded 100% with federal monies through the TANF flexible fund.

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

**RESOLUTION NO. 387-09: AUTHORIZATION TO EXECUTE DOCUMENTATION FOR AMERICAN RECOVERY AND REINVESTMENT ACT - NUTRITION PROGRAM FOR THE ELDERLY FUNDING APPLICATION**

Mr. Hammond presented the following:

WHEREAS, as part of the ARRA, NYSOFA received allotments from the Administration on Aging to fund Congregate and Home Delivered Meal programs, in accordance with the regulations used to administer the Older Americans Act Title III-C-1 and Title III-C-2 programs. These funds are expected to be utilized for the provision of meals to the elderly with the goal of expansion of the current Title III-C-1 and III-C-2 programs; and

WHEREAS, the Department of Aging and Youth must expend these ARRA funds for the provision of Congregate and Home Delivered meals; and

WHEREAS, the Wayne County allocations are in the amount of \$16,281 for Title III C-1 and \$8,014 for Title III C-2. Local matching funds must be provided in an amount equal to at least a minimum of 10% of the total services costs; and

WHEREAS, the Department of Aging and Youth is requesting to pend appropriate budget modifications until NYSOFA final state budget allocations are received. County budget modifications and NYSOFA budget transfers will be contingent on losses in other program allocations; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the American Recovery and Reinvestment Act -Nutrition Program for the Elderly Funding Application for the program period 3/18/09-12/31/09.

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

**RESOLUTION NO. 388-09: AUTHORIZATION TO CONTRACT WITH WAYNE COUNTY ACTION PROGRAM-COMMUNITY BASED ADOLESCENT PREGNANCY PREVENTION PROGRAM**

Mr. Hammond presented the following:

WHEREAS, Wayne CAP is requesting the Department of Aging and Youth provide youth development contracted services for adolescent participants of the CBAPP Program; and

WHEREAS, WCAP will pay the Department of Aging and Youth \$5,508 for the provision of youth development activities cited in the contract; and

WHEREAS, the program year is January 1, 2009 through December 31, 2009; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne County Action Program for the period of January 1, 2009 through December 31, 2009, for the provision of youth development services.

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

**RESOLUTION NO. 389-09: AUTHORIZATION TO ACTIVATE A VOICEMAIL ACCOUNT FOR THE DEPARTMENT OF AGING AND YOUTH**

Mr. Hammond presented the following:

WHEREAS, the Department of Aging and Youth is mandated to provide 24 hour phone access for OCFS and NYSOFA programming; and

WHEREAS, Aging and Youth's answering machine is no longer working and the Department is requesting an additional voice mail account be activated on the receptionist's phone line to accommodate the answering service need; now, therefore, be it

RESOLVED, that an additional voicemail account be placed on phone line 5619 at the cost of \$2.50 per month, totaling no more than \$18 for 2009.

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

**RESOLUTION NO. 390-09: AUDIT OF CLAIMS – May 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 **\$2,871,103.00** are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$ 1,540,004.72
2. D Fund	\$ 650,789.34
3. DM Fund	\$ 84,173.48
4. E Fund	\$ 404,741.91
5. H Fund	\$ 108,655.45
6. MS Fund	\$ 0.00
7. S Fund	\$ 75,263.00
8. TE Fund	\$ 7,475.10
Warrant Total	<b>\$ 2,871,103.00</b>

and be it further

RESOLVED, that the following utilities totaling **\$111,633.37**, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$ 37,809.51
2. DM Fund	\$ 52,381.19
3. E Fund	\$ 21,442.67
Utility Total	<b>\$ 111,633.37</b>

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling **\$242,152.53** are hereby ratified:

1. Nursing Home	\$ 62,039.03
2. Sheriff-Misc.	\$ 805.66
3. Sheriff-Pistol Permits	\$ 3,894.25

4. Social Services	\$	1,777.67
5. County Attorney	\$	5,820.51
6. Workers' Comp	\$	167,815.41
Misc. Disbursement Total	\$	<b>\$242,152.53</b>

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

**RESOLUTION NO. 391-09: AUTHORIZATION TO TRANSFER LEAVE TIME FOR BOARD OF ELECTIONS EMPLOYEE**

Mrs. Collier presented the following:

WHEREAS, Kelley Borrelli, Deputy Commissioner, needs to have extensive surgery on May 27, 2009; and

WHEREAS, Kelley will be out of work beyond her earned sick leave days; and

WHEREAS, the following individuals have volunteered to donate leave time totaling 119 hours:

- Joyce Krebbeks, 35 hours
- Kristin Wagner, 14 hours
- Peter Pallini, 21 hours
- Mary Ann C. VanHanehan, 7 hours
- Betty Chardeen, 7 hours
- Randi Donselaar, 7 hours
- Debbie Liseno, 7 hours
- Sandra Sloane, 7 hours
- Deborah Coons, 14 hours

now, therefore, be it

RESOLVED, that the Director of Wayne County Human Resources Department is hereby authorized to transfer 119 hours to of the above donated annual leave time as sick hours to Kelley Borelli to ensure sufficient coverage of sick hours; and it be further

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

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

Mr. Plant commented that he would not be supporting this resolution as he felt that the process was not legal for the donation of leave time to be transferred this way.

Mr. Fabino said that he would be supporting this resolution and encouraged others to do so.

Upon roll call, all Supervisors voted Aye, except Supervisors Hammond, Lyon and Plant who voted Nay. The Chairman declared the Resolution adopted.

**OTHER BUSINESS:**

Mr. Kelsch moved, seconded by Mr. LeRoy that one (1) resolution be allowed on the floor under Other Business. Upon roll call, carried.

**RESOLUTION NO. 392-09: AUTHORIZATION TO EXECUTE APPLICATION FOR PERMIT TO US ARMY CORPS OF ENGINEERS AND THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR IMPROVEMENTS TO THE RAIL IN THE TOWN OF ARCADIA**

Mr. Spickerman presented the following:

WHEREAS, Wayne County owns rail and right-of-way upon which the Ontario Midland Rail Road operates; and

WHEREAS, the Ontario Midland Rail Road is doing is doing improvements to the rail in the Town of Arcadia; and

WHEREAS, as owner of the right-of –way the application for permits to the US Army Corps of Engineers and the NYS Department of Environmental Conservation for culvert

improvements require signatures of applicant and owner of the property; now, therefore, be it RESOLVED, that the Board of Supervisors hereby authorizes the Chairman of the Board to execute the Joint Application Form and any other necessary documents, subject to the review of the County Attorney.

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

**EXECUTIVE SESSION:**

At 11:05 a.m., Mrs. Collier moved, seconded by Mr. Plant, that the Board go into Executive Session to discuss collective negotiations. Upon roll call, carried.

**REGULAR SESSION:** At 11:20 a.m., Mr. Fabino moved, seconded by Ms. Park that the Board resume regular session. Carried.

**OTHER BUSINESS:**

Mr. Lauderdale moved, seconded by Mr. Spickerman, that an additional resolution be allowed on the floor under Other Business. Upon roll call, carried.

**RESOLUTION NO. 393-09: RATIFYING 2008-2010 COLLECTIVE BARGAINING AGREEMENT WITH THE WAYNE COUNTY SHERIFF'S LIEUTENANTS' ASSOCIATION**

Mrs. Collier presented the following:

WHEREAS, Wayne County ("the County") and the Wayne County Sheriff's Lieutenants' Association, have negotiated a Collective Bargaining Agreement ("the Agreement") establishing terms and conditions of employment for the three (3) year period commencing January 1, 2008 and ending December 31, 2010; and

WHEREAS, the Union Contract Negotiation Committee has reviewed the provisions of said collective bargain unit; and

WHEREAS, the County Administrator has reviewed the Agreement with the Board of Supervisors; now, therefore, be it

RESOLVED, that the Agreement is hereby approved and ratified by the Board of Supervisors and the Chairman of the Board of Supervisors is hereby authorized and directed to execute the Agreement on behalf of the County.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, all Supervisors voted Aye, except Supervisor Hammond who voted Nay. The Chairman declared the Resolution adopted.

Mr. Colacino requested to address the Board regarding his concerns for this Board to appropriate funding to allow the County Sheriff's Department to provide coverage for all town and village festivals in Wayne County.

Mrs. Bender stated that the Public Safety Committee has looked into this over the last few years and noted that the Sheriff said that he could not provide the requested coverage without the Board approving the funding for additional overtime that this would require.

Mr. Groat requested to address the Board in order to thank the Wayne County employees for their donation of leave time to Maria Bruno. He sadly announced that Mrs. Bruno, a Wayne County employee and resident from the Town of Galen, passed away on Sunday, May 17<sup>th</sup>.

**EXECUTIVE SESSION:** At 11:42 a.m., Mrs. Collier moved, seconded by Mr. Plant, that the Board go into Executive Session to discuss a personnel issue. Upon roll call, carried.

**REGULAR SESSION:** Mr. Colacino moved, seconded by Mr. Hammond, that the Board resume regular session. Carried.

**ADJOURNMENT:**

The next scheduled meeting of the Board will be an evening session, scheduled for Tuesday, June 16, 2009 at 7:00 p.m.

Mr. Fabino moved, seconded by Mr. Colacino, that the board adjourn at 12:15 p.m.  
Carried.

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